

ORDINANCE NO. 513

**AN ORDINANCE ADOPTING CHANGES TO SECTIONS ONE, TWO, FOUR,
NINE, AND TEN OF THE CARBON COUNTY DEVELOPMENT CODE**

WHEREAS, Carbon County desires to amend Sections One, Two, Four, Nine, and Ten of the Carbon County Development Code, for the purpose of clarifying and adding provisions of said sections, and

WHEREAS, Carbon County finds that adopting the proposed amendments to Sections One, Two, Four, Nine, and Ten will more specifically define the general requirements that are imposed on property owners various zones within the County; and

WHEREAS, a public hearing was held on April 3, 2019, at the hour of 4:30 p.m. before the Carbon County Board of Commissioners on the Carbon County Planning Commission's recommendation to amend the above-listed sections of the Development Code, and the Carbon County Board of Commissioners having received and considered the comments made at the public hearing;

**NOW THEREFORE, THE CARBON COUNTY BOARD OF COMMISSIONERS
DOES HEREBY RESOLVE AND ORDAIN AS FOLLOWS:**

A. Section One of the Carbon County Development Code are hereby amended to read as set forth in **Exhibit "A"** to this Ordinance.

B. Section Two of the Carbon County Development Code are hereby amended to read as set forth in **Exhibit "B"** to this Ordinance.

C. Section Four of the Carbon County Development Code are hereby amended to read as set forth in **Exhibit "C"** to this Ordinance.

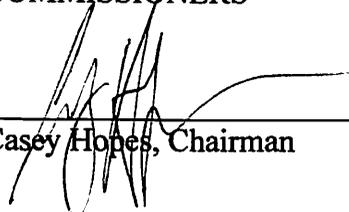
D. Section Nine of the Carbon County Development Code are hereby amended to read as set forth in **Exhibit "D"** to this Ordinance.

E. Section Ten of the Carbon County Development Code are hereby amended to read as set forth in **Exhibit "E"** to this Ordinance.

F. Effective Date. This ordinance shall become effective April 3, 2019, or as soon thereafter as the Carbon County Clerk has met the publication requirements of U.C.A. §17-53-208(3).

ORDAINED, DECREED, AND APPROVED THIS 3 DAY OF April, 2019.

CARBON COUNTY BOARD OF COMMISSIONERS


Casey Hopes, Chairman

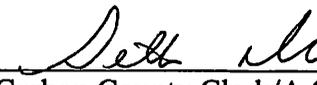
Voting:

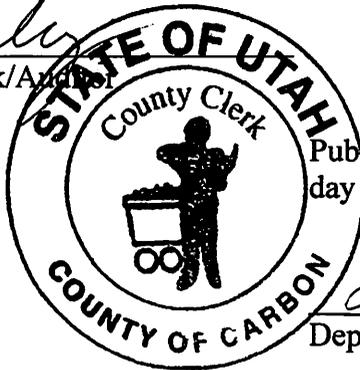
Commissioner Jensen voted yea nay

Commissioner Hopes voted yea nay

Commissioner Martines voted yea nay

ATTEST:


Carbon County Clerk/Attest



ETV-
Published in the Sun Advocate on the 24
day of April, 2019.


Deputy County Clerk

EXHIBIT "A"

SECTION 1

TITLE, INTENT, PURPOSE AND INTERPRETATION

1.1 TITLE

This Ordinance shall be known as, and shall be entitled, THE DEVELOPMENT CODE OF CARBON COUNTY, UTAH, and may be so cited and pleaded.

1.2 INTENT AND PURPOSE

It is the intent of the County Commission of Carbon County, Utah, through the adoption of this Code, to more fully avail itself of the powers granted under Chapters 17-27a and 57-8, Utah Code Annotated, 1953, as amended, in a manner that will promote the health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the County. The purposes in adopting said Code shall be:

- A. To encourage and facilitate orderly growth and development within the County.
- B. To secure economy in expenditures and to facilitate adequate provision for transportation, water, sewerage, parks, schools and other public requirements.
- C. To lessen congestion in the streets, prevent the overcrowding of land, and provide adequate light and air.
- D. To secure safety from fires, floods, traffic hazards, and other dangers.
- E. To stabilize and improve property values.
- F. To protect the tax base.
- G. To promote the development of a more attractive, wholesome and serviceable County.
- H. To encourage the preservation of agricultural activities, lands and open space.
- I. To create conditions favorable to prosperity, civic activities, and recreational, educational, and cultural opportunities.
- J. To preserve the character, historical values, individual liberties, self-reliance and integrity of the government and citizens of Carbon County.

1.3 INTERPRETATION

In interpreting and applying this Code, the provisions thereof shall be held to be the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity, and general welfare of the present and future inhabitants of the County.

EXHIBIT "B"

SECTION 2

COUNTY PLANNING

2.1 PLANNING COMMISSION

2.1.1 Establishment of Commission – Number of Members – Qualification

There is hereby created a Planning Commission within and for Carbon County, to be known as the Carbon County Planning Commission. Said Commission shall consist of seven voting members, two alternate members, and, at the discretion of the Board of County Commissioners, a non-voting, liaison member from the Board of County Commissioners. The members of the Planning Commission shall be appointed by the Board of the County Commissioners. Each of the seven appointed members and the two alternates shall be a resident of the County and an owner of real property, and at least four of them shall hold no other public office or position. Members shall be selected without respect of political affiliations and shall serve without compensation, except for reasonable expenses. In the event of the absence of any regular members at any meeting, the alternate member(s) shall serve with full rights and authority at said meeting.

2.1.2 Term of Office

Each member of the Planning Commission shall serve for four years. The term of office for the liaison member shall be as determined by the action of the Board of County Commissioners.

2.1.3 Vacancies – Removal from Office

Vacancies of appointed members occurring otherwise than through the expiration of terms shall be filled for the remainder of the unexpired term by appointment of the Chairman of the Board of County Commissioners with the consent of the other members. Members of the Planning Commission may be removed by the County Commission for non-performance of duty or misconduct, after public hearing on the matter, if one is requested. Attending fewer than half of all regularly scheduled meetings of the Planning Commission within a year's time shall be considered non-performance of duty.

2.1.4 Organization – Rules of Procedure

The Planning Commission shall elect from its members a chairperson and vice chairperson, whose term shall be for one year. The Commission may create and fill such other offices as it may determine. The Planning Commission shall adopt policies and procedures governing its procedure and shall keep public records of its proceedings.

2.1.5 Duties and Powers

The Board of County Commissioners designates the Planning Commission as the Land Use Authority to hear and act on all land use applications, except as may be otherwise stated in this Development Code. The Planning Commission shall have the power as may be necessary to perform its functions and promote County planning as follows:

- A. To prepare and recommend a master plan and amendments to the master plan to the County legislative body.
- B. To recommend zoning ordinances and maps, and amendments to zoning ordinances and maps to the County legislative body.

- C. To recommend subdivision regulations and amendments to those regulations to the County legislative body.
- D. To act as the land use authority in regard to subdivision and conditional use permit applications, with authority to approve or deny of subdivision and conditional use permit applications.
- E. To determine other land uses not specified in the Development Code. Because not all land uses may be contemplated by this code, any use of land which is not enumerated as a permitted or conditional use in a particular zoning district, and is not contrary to law, may be considered by the Planning Commission to be a permitted non-conditional or conditional use. The Planning Commission shall hear and decide requests from any person or entity adversely affected by an omission of a legal land use in this code. The Planning Commission shall determine whether the use is a permitted or conditional use.

The Planning Commission may not hear or authorize such use unless it meets the minimum requirements needed to promote the public health, safety, morals, convenience, order, prosperity and general welfare of the public.

Upon the Planning Commission making findings of fact, any conditional use shall be approved pursuant to the standards set forth in this Code. Any permitted use shall be referred to the Zoning Administrator and Building Official for application for and issuance of proper permits.

- F. To advise the County legislative body on matters as the County legislative body directs.
- G. To hear or decide any matters that the County legislative body designates.
- H. To exercise any other powers delegated to it by the County legislative body.
- I. To exercise any other powers that are necessary to enable it to perform its functions.

2.2 APPEALS, APPEAL AUTHORITIES, AND REQUESTS FOR VARIANCES

2.2.1 Appeals Considered. All land use decisions made or issued by any Land Use Authority designated herein may be appealed to an Administrative Hearing Officer within 30 days of the issuance of a decision of the Land Use Authority.

2.2.2 Variations. A request for a waiver of or variance to a land use ordinance shall be heard by an Administrative Hearing Officer. Variations and waivers that may be considered include, but are not limited to, the following:

1. Building setbacks from property line
2. Structure height requirements
3. Exploratory or production well locations
4. Parking facilities
5. Landscaping
6. Utility requirements
7. Livestock and animal locations and density

2.2.3 Appointment of Administrative Hearing Officer. The Administrative Hearing Officer shall be appointed by the Board of County Commissioners. The Board of Commissioners may at their discretion appoint more than one Hearing Officer. If more than one Hearing Officer is appointed, the Hearing Officers will alternate hearing cases, and shall substitute for each other when the appointed officer is unavailable. An Administrative Hearing Officer may enlist the assistance of a geologist, structural engineer, or other expert in the geologic sciences in making decisions pertaining to geologic hazards. Any costs associated with technical reports will be at no cost to Carbon County.

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2.2.4 Conduct of Appeal Hearings – All hearings before an Administrative Hearing Officer shall be subject to the following rules and guidelines:

- a. Public notice of any appeal hearing shall be given as required for any meeting under the Utah Open and Public Meetings Act. Notice of the appeal hearing shall be given to the parties at issue and to the owner of the underlying property no fewer than 10 days prior to the hearing. Notice shall be deemed effective as of the date notice is mailed. An applicant who fails to appear, or whose agent fails to appear, at a properly noticed meeting may be denied relief on the basis of the applicant's absence at the hearing.
- b. All such hearings shall be recorded and minutes shall be made of said meetings.
- c. The appeal authority shall not be bound to follow rules of evidence.
- d. A written decision shall be issued by the appeal authority after all evidence has been presented. A copy of the decision shall be kept in the records of the Planning Department.
- e. The Administrative Hearing Officer is the final appeal authority for land use decisions and requests for waivers and variances within Carbon County. A decision of an Administrative Hearing Officer may be appealed to the Seventh Judicial District Court of Carbon County within 30 days of the mailing of the written decision of the Administrative Hearing Officer.

2.2.5 Standards on Variances and Waivers

- A. A variance or waiver may be granted only if it is reasonably and clearly determined that:
 1. Literal enforcement of the requirements and provisions of this title would cause an unreasonable hardship on the owner that is not necessary to carry out the general purpose of this title;
 2. Special, unique, or exceptional circumstances or conditions are attached to the land but do not generally apply to other properties in the same zone;
 3. Granting the variance is essential to the beneficial enjoyment of a substantial property right possessed by other property owners in the same zone;
 4. The variance will not:
 - a. be contrary to the public interest or welfare;
 - b. substantially affect the County master plan;
 - c. substantially injure or restrict the beneficial use and enjoyment of adjacent or nearby property; or
 - d. permit a use not designated as a permitted or conditional use in the zone in which the land is situated;
 5. The requesting person is the owner of the land, authorized agent of the owner, or a holder of a beneficial interest in the land;

6. The spirit and intent of this title are observed and substantial justice is done; and
7. There is no reasonable alternative.

B. The appeal authority may not make a finding that there is an unreasonable hardship unless the alleged hardship:

1. Is located on or closely and reasonably associated with the land for which the variance is sought; and
2. Results from special circumstances which are unique to the land and not from conditions that are general to the neighborhood.

C. The appeal authority may find that special circumstances exist only if the special circumstances:

1. Relate to the alleged hardship; and
2. Deprive the land of privileges granted to other properties in the same zone.

D. The owner shall have the burden of proving that all of the above elements are met.

2.3 ZONING ADMINISTRATION

2.3.1 Creation of Office

There is hereby created the office of Zoning Administrator. Said Administrator is hereby charged with the administration and enforcement of the zoning regulations of the County and other duties as set forth below.

2.3.2 Powers and Duties of the Zoning Administrator

The Zoning Administrator may appoint deputies.

It shall be the duty of the Zoning Administrator or Deputy:

- A. To review all applications for building permits and to approve such permits when all requirements of the zoning regulations have been met.
- B. To respond to requests for information from citizens and officials regarding details of the County's development and zoning requirements.
- C. To enforce the provisions of this Code within the County, to refuse to approve any permit unless the plans of and for the proposed erection, construction, or use fully conform to all zoning regulations in effect within the County, and to enter actions in the courts when necessary.
- D. Upon appeal to the Administrative Hearing Officer on any matters heard and decided by the Land Use Authority designated under this Code, the Zoning Administrator shall forthwith transmit all papers, records, exhibits, and other pertinent data pertaining to the appeal thereto.
- E. To keep the Official Zone Map current, and to issue certificates of zoning compliance when requested.
- F. To act as staff to the Planning Commission and to coordinate its activities with those of the Administrative Hearing Officer and County Commission.
- G. To provide technical assistance to the Administrative Hearing Officer and to coordinate its activities with those of the applicable Land Use Authority.

- H. To review and approve applications for agricultural land divisions and to obtain the signature of the Chair of the Planning Commission for plats describing such divisions upon review for accuracy by the Deputy County Surveyor.
- I. To review and approve temporary use permits and certain conditional use permits, as set forth elsewhere in this Development Code.

EXHIBIT “C”

SECTION 4

ZONING AND REGULATIONS WITHIN ZONES

4.1. ESTABLISHMENT OF ZONES

4.1.1. Zones Established

In order to carry out the purposes of this Code, all of the unincorporated territory of Carbon County is hereby divided into zoning districts as follows:

1. RA-20 Twenty-acre Residential Agricultural Zone
2. RR-5 Five-acre Rural Residential Zone
3. RR-2.5 Two-and-one-half-acre Rural Residential Zone
4. RR-1 One-acre Rural Residential Zone
5. R-1-20,000 Square Feet Residential Zone
6. R-1-12,000 Square Feet Residential Zone
7. R-1-8,000 Square Feet Residential Zone
8. R-2-8,000 Square Feet Residential Zone
9. R-4-8,000 Square Feet Residential Zone
10. C-1 Retail Commercial Zone
11. C-2 Wholesale Commercial Zone
12. SC Shopping Center Zone
13. I-1 Light Industrial Zone
14. I-2 Heavy Industrial Zone
15. M&G Mining and Grazing Zone
16. WS Water Shed Zone
17. MR Mountain Range Zone
18. SL Scofield Lake Zone
19. PV Pleasant Valley Zone
20. RFM Recreation, Forestry and Mining Zone
21. HMC Historic Mining Camp Zone
22. FPO Flood Plain Overlay Zone
23. NMCO Nine Mile Canyon Overlay Zone
24. SBO Small Business Overly Zone
25. AOZ Airport Overlay Zone

4.1.2. Location of Zones

The location and boundaries of each zoning district shall be as set forth on the Official Zone Map of Carbon County, Utah, 2003 – Revised, as herein adopted or as may be hereinafter amended in accordance with the provisions of Section 8.

4.1.3. Boundaries of Zones

Where uncertainty exists with respect to the boundaries of zones, the following rules shall apply:

1. Where the indicated boundaries of the Zone Map are approximately streets or roads, the centerlines of said streets or roads shall be construed to be the boundaries.
2. Where the indicated boundaries are approximately canals, natural streams or watercourses, the center of said canal, stream or watercourse shall be construed to be the zone boundary line.

3. In the absence of any street, road, canal, natural stream, watercourse or survey as forming the boundaries on any zone, the scale or measurement shown on the map shall be used to determine the zone boundary lines.
4. Where a surveyed legal description of property or properties has been submitted to the County for approval during the process of changing the official zone map and the legal description is found to be in error, the Commissioner Surveyor, in consultation with the Engineer and/or other surveyors, shall determine the zone boundaries for said legal description based on the intent of the application to change the zone map.
5. Where other uncertainty exists, the Administrative Hearing Officer shall interpret the zone map.

4.1.4. Access, Setbacks, and Utility Requirements

The specific requirements for access, building setbacks, and utilities for each zoning district shall comply with Tables 4.1, 4.2, 4.3, 4.4 4.5, and 4.6. If there are inconsistencies regarding requirements for access, building setbacks, and utilities for each zoning district, then tables 4.1, 4.2, 4.3, 4.4 4.5, and 4.6 will take precedence.

**TABLE 4.1
ACCESS REQUIREMENT**

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE ROAD (1)
RA-20	P	P	P
RR-5	P	N	P
RR-2.5	P	N	P
RR-1	P	N	P
R-1-20,000	P	N	P
R-1-12,000	P	N	P
R-1-8,000	P	N	P
R-2-8,000	P	N	P
R-4-8,000	P	N	P
C-1	P	N	P
C-2	P	N	P
SC	P	N	N
I-1	P	N	P
I-2	P	N	P
M&G	P	P	P
WS	P	P	P
MR	P	P	P
SL	P	N	P
PV	P	P	P
RFM	P	P	P
HMC	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

TABLE 4.2
BUILDING SETBACKS
MAIN BUILDING ON CORNER LOTS (In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RA-20	30	30	30	30
RR-5	30	30	10	30
RR-2.5	30	30	10	30
RR-1	30	30	10	30
R-1-20,000	30	30	8	30
R-1-12,000	25	25	8	25
R-1-8,000	25	25	8	25
R-2-8,000	25	25	8	25
R-4-8,000	25	25	6 inches per ft. ht	25
C-1	as approved (1) (3)	as approved (1)(3)	as approved (1)(3)	as approved (1)(3)
C-2	as approved (1)(3)	as approved (1)(3)	as approved (1)(3)	as approved (1)(3)
SC	40 (3) as approved (1)	40 (3) as approved (1)	as approved (1)	as approved (1)
I-1	30 or 40 (3)	30 or 40 (3)	20	20
I-2	30 or 40 (3)	30 or 40 (3)	20	20
M&G	60 or 30 (2)	60 or 30 (2)	30	30
WS	60 or 30 (2)	60 or 30 (2)	30	30
MR	60 or 30 (2)	60 or 30 (2)	30	30
SL	5	5	5	5
PV	30	30	8	30
RFM	60 or 30 (2)	60 or 30 (2)	30	30
HMC	15	15	5	5

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

TABLE 4.3
BUILDING SETBACKS
MAIN BUILDING ON INTERIOR LOTS (In feet measured from property line)

ZONE	FRONT	SIDE	REAR
RA-20	30	30	30
RR-5	30	10	30
RR-2.5	30	10	30
RR-1	30	10	30
R-1-20,000	30	8	30
R-1-12,000	25	8	25
R-1-8,000	25	8	25
R-2-8,000	25	8	25
R-4-8,000	25	6 inches per ft. ht	25
C-1	40 (3) as approved (1)	as approved (1)	as approved (1)
C-2	40 (3) as approved (1)	as approved (1)	as approved (1)
SC	40 (3) as approved (1)	as approved (1)	as approved (1)
I-1	30 or 40 (3)	20	20
I-2	30 or 40 (3)	20	20
M&G	60 or 30 (2)	30	30
WS	60 or 30 (2)	30	30
MR	60 or 30 (2)	30	30
SL	5	5	5
PV	30	8	30
RFM	60 or 30 (2)	30	30
HMC	15	5	5

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

TABLE 4.4
BUILDING SETBACKS
ACCESSORY BUILDINGS (In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RA-20	50	50	10 (1) (4)	30 (1) (4)
RR-5	50	40	10 (1) (4)	10 (1) (4)
RR-2.5	50	40	8 (1) (4)	10 (1) (4)
RR-1	50	40	8 (1) (4)	8 (1) (4)
R-1-20,000	50	40	4 (1) (4)	4 (1) (4)
R-1-12,000	50	8	4 (1) (4)	4 (1) (4)
R-1-8,000	50	8	4 (1) (4)	4 (1) (4)
R-2-8,000	50	8	4 (1) (4)	4 (1) (4)
R-4-8,000	50	8	30 inches (1) (4)	30 inches (1) (4)
C-1	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)
C-2	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)
SC	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)
I-1	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)
I-2	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)
M&G	60 or 30 (2)	30 or 40 (3)	30 (1) (4)	30 (1) (4)
WS	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
MR	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
SL	5	5	5 (1) (4)	5 (1) (4)
PV	50	40	8 (1) (4)	8 (1) (4)
RFM	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)
HMC	3	3	3 (1) (4)	3 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
(2) 60 feet from center of road, 30 feet from property line.
(3) 40 feet if parking
(4) No drainage from roof will be discharged onto an adjacent lot

**TABLE 4.5
UTILITY REQUIREMENTS**

ZONE	WATER (STATE APPROVED)				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RA-20	P	Y	Y	Y	P	P
RR-5	P	Y	Y	Y	P	P
RR-2.5	P	Y	Y	Y	P	P
RR-1	P	Y	Y	Y	P	P
R-1-20,000	P	N	Y	Y	P	N
R-1-12,000	P	N	Y	Y	P	N
R-1-8,000	P	N	Y	Y	P	N
R-2-8,000	P	N	Y	Y	P	N
R-4-8,000	P	N	Y	Y	P	N
C-1	P	N	N	Y	P	P
C-2	P	N	N	Y	P	P
SC	P	N	N	Y	P	N
I-1	P	N	N	Y	P	P
I-2	P	N	N	Y	P	P
M&G	P	Y	Y	Y	P	P
WS	P	Y	Y	Y	P	P
MR	P	Y	Y	Y	P	P
SL	P	Y	Y	Y	P	P
PV	P	Y	Y	Y	P	P
RFM	P	Y	Y	Y	P	P
HMC	P	N	N	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

TABLE 4.6

Adopted from Utah Administrative Code R317-4-13 Table 2

ONSITE WASTE WATER SETBACKS**Minimum Separation Distances in Feet (a)**

Item Requiring Setback	From Building Sewers and Effluent Sewers	From Septic, Pump and Other Tanks	From Absorption Area and Replacement Area
Absorption and Replacement Areas		5	
Public Culinary Water Sources	(c)	100 (c)	100 (c)
Individual or Non-Public Culinary Water Sources (d)	25	50	100 (e)
Culinary Water Supply Line	(f)	10 (f)	10 (f)
Non-culinary Well or Spring	10	25	100
Lake, Pond, Reservoir (a)	10	25	100
Watercourse (live or ephemeral stream, river, subsurface drain, canal, storm water drainage systems, etc.)		25	100 (g)
Building Foundation without foundation drain		5	5 (h)
Building Foundation with foundation drain		10	100 (i)
Curtain drains	10	10	100 (i)
Dry washes, gulches, and gullies		25	50
Swimming pool, below ground	3	10	25
Dry wells, catch basins		5	25
Down slopes that exceed 35%. This includes all natural slopes or escarpments and any manmade cuts, retaining walls, or embankments.		10	50 (j)
Property line	5	5	5

NOTES

- (a) All distances are from edge to edge. Where surface waters are involved, the distance shall be measured from the high water line.
- (b) See Subsection Utah Administrative Code R317-4-6.14 for setback requirements.
- (c) All distances shall be consistent with Rules Utah Administrative Code R309-600 and R309-605.
- (d) Compliance with separation requirements does not guarantee acceptable water quality in every instance. Where geological or other conditions warrant, greater distances may be required by the Southeastern Utah Health Department.
- (e) For ungrouted wells and springs the distance shall be 200 feet. A private or individual well is considered to be grouted if it meets the construction standards required in Utah Administrative Code Section R655-4-11, which requires a minimum 30-foot deep grout surface seal. Private or individual wells not constructed to this minimum standard are considered to be ungrouted. Although this distance shall be generally adhered to as the minimum required separation distance, exceptions may be approved by the Southeastern Utah Health Department, taking into account geology, hydrology, topography, existing land use agreements, consideration of the drinking water source protection requirements, protection of public health and potential for pollution of water source. Any person proposing to locate an absorption system closer than 200 feet to an individual or nonpublic ungrouted well or spring must submit a report to the Southeastern Utah Health Department that considers the above items. In no case shall the Southeastern Utah Health Department grant approval for an onsite wastewater system to be closer than 100 feet from an ungrouted well or a spring.
- (f) If the water supply line is for a public water supply, the separation distance shall comply with the requirements of Utah Administrative Code Rule R309-550. No culinary water service line shall pass through any portion of an absorption area.
- (g) Lining or enclosing watercourses with an acceptable impervious material may permit a reduction in the separation requirement. In situations where the bottom of a canal or watercourse is at a higher elevation than the ground in which the absorption system is to be installed, a reduction in the distance requirement may be justified, but each case shall be decided on its own merits by the Southeastern Utah Health Department.
- (h) Horizontal setback between a deep wall trench or seepage pit and a foundation of any building is at least 20 feet.
- (i) The Southeastern Utah Health Department may reduce the separation distance, if it can be shown that the effluent will not enter the drain, but each case must be decided on its own merits by the Southeastern Utah Health Department. In no case shall the Southeastern Utah Health Department grant approval for an absorption area to be closer than 20 feet.
- (j) This setback may be reduced if a 53 foot reference line originating at the bottom of the distribution pipe, sloped at 35% below horizontal, will not daylight or intersect the ground surface.

4.2 REGULATIONS WITHIN ZONES

4.2.1 RA-20 Residential Agricultural Twenty Acre Zone

A. Legislative Intent

The RA-20 Residential Agricultural Zone covers certain agricultural and grazing areas in the County, which are suitable for use as small farmsteads. The areas so designated are characterized by land that is utilized primarily for raising crops and livestock, interspersed with occasional residential structures.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	RA-20
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	P
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	P
16. Premise occupations subject to the provisions of Section 3.3.17.	P
17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P

19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning as set forth under Section 3.3.32	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
22. Sales of agricultural products	P
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

D. Area and Width requirements.

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>WIDTH IN FEET</u>
Single-family dwelling	20 acres	600
Residential treatment, support, and secure treatment facilities	20 acres	600
Livestock and commodity Auctions	10 acres	300

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
RA-20	P	P	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements.

Buildings shall be set back from the property lines as per Tables 4.2, 4.3, or 4.4, pages 4-3, 4-4 or 4-5.

**MAIN BUILDING ON CORNER LOT
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
RA-20	30	30	30	30

**MAIN BUILDING ON INTERIOR LOT
(In feet measured from property line)**

ZONE	FRONT	SIDE	REAR
RA-20	30	30	30

**ACCESSORY BUILDING
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
RA-20	50	50	10 (1) (4)	30 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building.

No requirements.

H. Utility Requirements

ZONE	WATER (STATE APPROVED)				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RA-20	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Size of Dwelling

The ground floor of any dwelling shall contain not less than six hundred (600) square feet of living area with a minimum width and length dimension as measured from the outside wall of not less than twenty (20) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.2 RR-5 Rural Residential Five Acre Zone

A. Legislative Intent

The Rural Residential Five Acre Zone covers certain agricultural and open space areas in the unincorporated portions of the County that may be developed for residential use in a manner consistent with open space planning, by locating homes on large parcels or lots.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	RR-5
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	P
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	P
16. Premise occupations subject to the provisions of Section 3.3.17.	P
17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C

21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
22. Sales of agricultural products	P
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

USE	MINIMUM AREA	MINIMUM WIDTH
Single-family dwelling	5 acres	260 feet
Churches	5 acres	260 feet
Schools	5 acres	260 feet
Planned unit developments	10 acres	100 feet

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
RA-5	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4, or 4-5.

**MAIN BUILDING ON CORNER LOT
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
RR-5	30	30	10	30

**BUILDING SETBACKS
MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)**

ZONE	FRONT	SIDE	REAR
RR-5	30	10	30

**BUILDING SETBACKS
ACCESSORY BUILDINGS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
RR-5	50	40	10 (1) (4)	10 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building

The maximum height of any building, except for silos and other agricultural buildings, measured from finished grade to the square of the building shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flag poles, television antennas and dishes, church towers and similar structure not used for human occupancy are excluded in determining height.

Utility Requirements

ZONE	WATER (STATE APPROVED)				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RR-5	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

H. Size of Dwelling

The minimum ground floor area of any dwelling shall be six hundred (600) square feet. The minimum width or length dimension of any dwelling, measured from the outside wall, shall be not less than fourteen (14) feet. Non-living spaces such as garages, porches, and decks shall not be included in this requirement.

4.2.3 RR-2.5 Rural Residential 2.5 Acre Zone

A. Legislative Intent

The objective in establishing the RR-2.5 Rural Residential Zone is to provide for the maintenance within the County of a residential and agricultural environment where the residents may engage in limited agricultural pursuits, including the keeping of agricultural animals. A minimum of vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone.

B. Land Uses

P=Permitted C=Conditional N=Not Permitted	RR-2.5
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	P
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	P
16. Premise occupations subject to the provisions of Section 3.3.17.	P
17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P

20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
22. Sales of agricultural products	P
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>WIDTH IN FEET</u>
Single-family dwellings	2.5 acres	160
Churches	2.5 acres	200
Schools	4.0 acres	200
Planned Unit Developments	5.0 acres	100

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
RA-2.5	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-2.5	30	30	10	30

MAIN BUILDING ON INTERIOR LOT
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-2.5	30	30	10	30

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-2.5	50	40	8 (1) (4)	10 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building

The maximum height of any building, when measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the buildings in uneven in height, the average elevation thereof shall apply. Roofs above square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

Utility Requirements

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ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RR-2.5	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

Size of Dwelling

1. **Minimum area**

The ground floor of any dwelling shall contain not less than seven hundred twenty (720) square feet of living area.

2. **Minimum Dimension**

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than fourteen (14) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.4 RR-1 One-acre Rural Residential Zone

A. Legislative Intent

The objective in establishing the RR-1 Rural Residential Zone 1 Acre Zone is to provide for the maintenance within the County of a residential and agricultural environment where the residents may engage in limited agricultural pursuits, including the keeping of limited numbers of agricultural animals. A minimum of vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	RR-1
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	P
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	P
16. Premise occupations subject to the provisions of Section 3.3.17.	P
17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P

20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
22. Sales of agricultural products	P
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

D. Area and Width Requirements

The minimum area and width requirements of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	1 acre	130 feet
Churches	2.5 acres	200 feet
Schools	5 acres	200 feet
Planned Unit Developments	5 acres	100 feet

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
RR-1	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from property line per Tables 4.2, 4.3 and 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-1	30	30	10	30

MAIN BUILDING ON INTERIOR LOT
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-1	30	30	10	30

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RR-1	50	40	8 (1) (4)	8 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

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ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RR-1	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Size of Dwelling

1. Minimum Area

The ground floor of any dwelling shall contain not less than seven hundred twenty (720) square feet of living area.

2. Minimum Dimension

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.5 R-1-20,000 Square Foot Residential Zone

A. Legislative Intent

The objective in establishing the R-1-20,000 Square Foot Residential Zone is to encourage the creation and maintenance of a residential environment within the County which is characterized by large lots, surrounded by well-kept lawns, trees and other plantings. A minimum of vehicular and pedestrian traffic and quiet residential conditions favorable to family living and the rearing of children shall also be characteristic of this zone. While much of the land is currently devoted to agricultural and other open land uses, it is served by a central sewer system and intended in the future that the land shall be developed into residential uses, having characteristics as hereinabove set forth. This zone is a transition from rural residential to urban living.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	R-1-20k
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	N
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	N

16. Premise occupations subject to the provisions of Section 3.3.17.	P
17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
22. Sales of agricultural products	P
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

C. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	20,000 sq. ft.	100 ft.
Churches	2.5 acres	200 ft.
Schools	5.0 acres	200 ft.
Planned unit developments	2.0 acres	90 ft.

D. Access Requirements

<u>ZONE</u>	<u>FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD</u>	<u>CLASS D ROAD</u>	<u>PRIVATE (1)</u>
R-1-20,000	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

E. Location Requirement

Buildings shall be set back from the property line as per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-20,000	30	30	8	30

MAIN BUILDING ON INTERIOR LOT
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-20,000	30	30	8	30

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-20,000	50	40	4 (1) (4)	4 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

F. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet, or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
R-1-20,000	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

G. Size of Dwelling

1. **Minimum Area**

The ground floor of any dwelling shall contain not less than 720 square feet of living area.

2. **Minimum Dimension**

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.6 R-1-12,000 Square Foot Residential Zone

A. Legislative Intent

The R-1-12,000 Square Foot Residential Zone has been established for the purpose of providing a place where single family detached dwellings on individual urban-type lots with curb, gutter and sidewalks can be constructed having attractively landscaped yards and a favorable environment for family life. Representative of the uses within the R-1-12,000 Zone are single-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	R-1-12k
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	N
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	N
16. Premise occupations subject to the provisions of Section 3.3.17.	N

17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
22. Sales of agricultural products	N
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	12,000 sf	100 feet
Church	2.5 acres	200 feet
School	5 acres	200 feet
Planned unit development	2 acres	90 feet

E. Access Requirements

<u>ZONE</u>	<u>FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD</u>	<u>CLASS D ROAD</u>	<u>PRIVATE (1)</u>
R-1-12,000	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line as per Table 4.2, 4.3 or 4.4, pages 4-3, 4-4, or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-12,000	25	25	8	25

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
R-1-12,000	25	8	25

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-12,000	50	8	4 (1) (4)	4 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

H. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
R-1-12,000	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Size of Dwelling

1. Minimum area

The ground floor of any dwelling shall contain not less than one thousand (1,000) square feet of living area.

2. Minimum dimensions

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches and sheds shall not be included in determining compliance with this requirement.

4.2.7 R-1-8,000 Square Feet Residential Zone

A. Legislative Intent

The R-1-8,000 Square Feet Residential Zone has been established for the purpose of providing a place where single-family detached dwellings on individual urban-type lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. Representative of the uses within the R-1-8,000 Zone are single-family dwellings, parks, playgrounds, churches and other community facilities designed in harmony with the characteristics of the zone.

The specific regulations necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

B. Land Uses

P=Permitted, C=Conditional, N=Not Permitted	R-1-8K
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	N
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	N
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	N
16. Premise occupations subject to the provisions of Section 3.3.17.	N
17. Production of fruit and crops in the field.	P

18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
22. Sales of agricultural products	N
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	N
25. Water diversions, water distribution systems, facilities and structures for water	P

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

C. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	8,000 sf	80 feet
Churches	2.5 acres	200 feet
Schools	5.0 acres	200 feet
Planned unit development	2.0 acres	70 feet

D. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
R-1-8,000	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

E. Location Requirements

Buildings shall be set back from the property line as per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-8,000	25	25	8	25

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
R-1-8,000	25	8	25

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-1-8,000	50	8	4 (1) (4)	4 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

F. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

G. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
R-1-8,000	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

Size of Dwelling

1. Minimum Area

The ground floor of any dwelling shall contain not less than one thousand (1,000) square feet of living area.

2. Minimum Dimension

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.8 R-2-8,000 Square Feet Residential Zone

A. Legislative Intent

The R-2-8,000 Square Feet Residential Zone has been established for the purpose of providing a place where one-family and two-family dwellings on individual lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. This zone is intended to have a residential density higher than the R-1-8,000 Zone, but to maintain a residential character comparable to that of a single-family residential area.

The specific regulations necessary for the accomplishment of the purposes of the Zone are hereinafter set forth:

B. Land Uses:

P=Permitted, C=Conditional, N= Not Permitted	R-2-8k
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	N
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	P
13. One, Two, Three and Four family dwellings, conventional construction and factory built	N
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	N
16. Premise occupations subject to the provisions of Section 3.3.17.	N

17. Production of fruit and crops in the field.	P
18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
22. Sales of agricultural products	N
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	C
25. Water diversions, water distribution systems, facilities and structures for water	P

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

C. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
One-family dwelling	8,000 sf	80 feet
Two-family dwelling or twin home	12,500 sf	90 feet
Churches	2.5 acres	200 feet
Schools	4.0 acres	200 feet
Planned Unit Developments	2.0 acres	70 feet

D. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
R-2-8,000	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

E. Location Requirements

Buildings shall be set back from the property line as per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-2-8,000	25	25	8	25

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
R-2-8,000	25	8	25

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-2-8,000	50	8	4 (1) (4)	4 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

F. Height of Building

The maximum height of any building, measured from finished grade to the square of the building, shall be twenty (20) feet or two (2) stories, whichever is higher. Where the ground or the square of the building is uneven in height, the average elevation thereof shall apply. Roofs above the square, chimneys, flagpoles, television antennas, church towers, and similar structures not used for human occupancy are excluded in determining height.

Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
R-2-8,000	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

Size of Dwelling

1. **Minimum Area**

The ground floor of any single-family dwelling shall contain not less than seven hundred twenty (720) square feet of living area. For a two-family dwelling, there shall be a minimum of seven hundred (700) square feet of living area for each dwelling unit.

2. **Minimum Dimension**

The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.9 R-4-8,000 Square Feet Residential Zone

A. Legislative Intent

The R-4-8,000 Square Feet Residential Zone has been established for the purpose of providing a place where multi-family dwellings on individual lots with curb, gutter and sidewalks can be constructed, having attractively landscaped yards and a favorable environment for family life. This zone is intended to have a residential density higher than the R-1-8,000 Zone, but to maintain a residential character comparable to that of a single-family residential area.

The specific regulations necessary for the accomplishment of the purposes of the Zone are hereinafter set forth:

B. Land Uses

P=Permitted; C=Conditional	R-4-8k
1. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
2. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
3. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
4. Churches	P
5. Customary residential accessory structures	P
6. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
7. Home occupations subject to the provisions of Section 3.3.16.	P
8. Household pets	P
9. Kennels subject to compliance with County regulations.	N
10. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
11. Minor utility transmission projects	P
12. One and Two family dwellings, conventional construction and factory built.	P
13. One, Two, Three and Four family dwellings, conventional construction and factory built	P
14. Pet cemeteries for interment of family pets	P
15. Pet cemeteries for interment of domestic livestock.	N
16. Premise occupations subject to the provisions of Section 3.3.17.	N
17. Production of fruit and crops in the field.	P

18. Parks, playgrounds, open space and parking areas	P
19. Public buildings and grounds not including storage yards and repair shops.	P
20. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
21. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
22. Sales of agricultural products	N
23. Single-family dwellings, conventional construction and factory built.	P
24. Twin home projects subject to the approval of the Planning Commission as set forth under Section 3.3.34.	C
25. Water diversions, water distribution systems, facilities and structures for water	P

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

D. Area and Width Requirements

The minimum area and width of a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	8,000 sf	80 feet
Two-family dwelling or twin home	12,500 sf	90 feet
Three-family dwelling	15,000 sf	110 feet
Four-family dwelling	17,500 sf	120 feet
Churches	2.5 acres	200 feet
Schools	5 acres	200 feet
Planned Unit Developments	2 acres	70 feet

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D ROAD	PRIVATE (1)
R-4-8,000	P	N	P

P= PERMITTED

(1) Maximum 3 dwellings on private drive

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line as per Tables 4.2, 4.3 and 4.4, pages 4-3, 4-4 or 4-5.

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
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R-4-8,000	25	25	6 inches per ft. ht	25
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MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
R-4-8,000	25	6 inches per ft. ht	25

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
R-4-8,000	50	8	30 inches (1) (4)	30 inches (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

Height of Building

The maximum height of any building shall be three (3) stories as defined in the Building Code. Roofs above the square, chimneys, flagpoles, television antennas, church towers and similar structures not used for human occupancy are excluded in determining height.

Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
R-4-8,000	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

Size of Dwelling

1. **Minimum Area**

The ground floor of any single-family dwelling shall contain not less than seven hundred twenty (720) square feet of living area. For a two, three or four-family dwelling structure, the minimum ground floor area shall be not less than six hundred (600) square feet of living area for each dwelling unit.

2. **Minimum Dimension**

The minimum width or length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and sheds shall not be included in determining compliance with this requirement.

4.2.10 C-1 Retail Commercial Zone

A. Legislative Intent

The C-1 Retail Commercial Zone has been established to provide an area in which the primary use of the land is for retail commercial and service use to accommodate the needs of residents and the traveling public.

Characteristic of this zone are uses such as retail stores, banks, restaurants, office structures, warehouses, housing parks, apartments, condominiums, light construction companies, churches and a wide variety of specialty shops, located in surroundings that are aesthetically pleasing and conveniently and safely accessible. In general, these zones should be located adjacent to major traffic arteries.

Single family residential developments, manufacturing uses, and other activities that would be inconsistent with the use of the land for commercial activities are not permitted in the zone.

The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth:

B. Land Uses

P=Permitted C=Conditional N=Not Permitted	C-1
1. Accessory and non-accessory advertising signs, subject to the provisions of Section 3.3.25.	P
2. Animal hospitals and veterinary clinics	N
3. Apartment buildings	P
4. Auction houses	N
5. Automobile and light machinery repair	N
6. Automobile, motorcycle, snowmobile, watercraft sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure	P
7. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
8. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments	P
9. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
10. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.	N
11. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
12. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
13. Churches	P

14. Communication towers	P
15. Condominium projects, per Sections 5.7 and 5.8	N
16. Construction companies	N
17. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use	P
18. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
19. Factory-built housing parks subject to Section 5.9.	C
20. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
21. Farm equipment and supplies, gardening stores	N
22. Forest and plant nurseries and greenhouses	N
23. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
24. Funeral homes	P
25. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	P
26. Hotels and motels.	P
27. Kennels subject to compliance with County regulations.	P
28. Large scale industrial project in accordance with the provisions of Section 5.3.	N
29. Light construction companies, excepting heavy equipment, road building and excavation contractors	P
30. Livestock and commodity auctions	N
31. Livestock feed yards and facilities	N
32. Lodging Houses & Bed & Breakfasts.	P
33. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
34. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
35. Manufactured or modular home sales	N
36. Manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any industrial activity which involves the storage or processing of petroleum products or other hazardous materials shall be considered as large scale industrial projects, and subject to Section 5.3.	N
37. Medical clinics and associated medical facilities, subject to site plan approval by	P

Planning Commission	
38. Mine and well machinery storage and repair	N
39. Mine supply stores, including outside areas for the temporary storage of materials offered for sale	N
40. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
41. Minor utility transmission projects	P
42. Motion picture theaters, outdoor, subject to approval of a conditional use permit	C
43. Mountain recreational developments, per Section 5.11	N
44. Office buildings	P
45. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments	P
46. Planned shopping center developments and commercial condominium projects containing only those types of establishments and subject to the applicable provisions of Sections 5.7, 5.8 or 5.10 of this Code.	C
47. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops	N
48. Production of fruit and crops in the field.	P
49. Parks, playgrounds, open space and parking areas	P
50. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
51. Public buildings and grounds not including storage yards and repair shops.	P
52. Public restrooms, information centers, parking areas, and related activities	P
53. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted. (See footnote A)	P
54. Recreation vehicle courts, subject to the approval of the Planning Commission As set forth under Section 3.3.28	C
55. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges	P
56. Treatment Facilities and Programs as licensed by the State of Utah	C
57. Restaurants and food drive-ins.	P
58. Sales of agricultural products	P
59. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
60. Self-Storage Warehouses	P

61. Sexually Oriented Businesses/ Adult Retail Establishment (See footnote B)	N
62. Shooting ranges indoor	N
63. Specialty Tobacco/Smoke shop (See footnote C)	N
64. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables	N
65. Truck terminals subject to approval of a site plan as provided under Section 3.3.32	N
66. Warehouses	P
67. Water diversions, water distribution systems, facilities and structures for water	P
68. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N
69. Wholesale commercial sales establishments	N

Footnotes

- A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites
- B. Located 1,000 feet away from churches, parks, schools, other sexually oriented business and areas zoned as residential
- C. Shall comply with all State Regulations

D. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
C-1	P	N	P

P=PERMITTED

- (1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

E. Location Requirements

Buildings shall be setback from the property or right-of-way line as per Tables 4.2, 4.3, or 4.4, pages 4-3, 4-4 or 4-5.

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
C-1	as approved(1)(3)	as approved(1)(3)	as approved (1)	as approved (1)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

**MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)**

ZONE	FRONT	SIDE	REAR
C-1	40 (3) as approved (1)	as approved (1)	as approved (1)

- (1) See the Building Code for required setbacks based on type of construction.

- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
C-1	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)

- (1) See the Building Code for required setbacks based on type of construction.
 (2) 60 feet from center of road, 30 feet from property line.
 (3) 40 feet if parking
 (4) No drainage from roof will be discharged onto an adjacent lot

F. Parking and Loading Requirements

No parking area that requires backing onto the street in order to exit shall be permitted. All ingress and egress shall be by forward motion only, and all points of ingress and egress shall be clearly defined and channeled using structural barriers. The design and construction of off-street parking and access facilities shall be in accordance with County or other standards.

G. Area and Location of Zone

Each single C-1 Zone shall contain a minimum of 3 acres. Acreage maybe reduced by the land use authority upon sufficient evidence that the use will not have deleterious effects on adjacent properties , and each zone established by a change of zoning district shall abut upon and have access to a collector or arterial class road as shown on the County’s major street plan.

Site Plan Approval Required for Non-Conditional Uses

Prior to the construction of any building or establishment of a commercial use, a site plan shall be submitted to and approved by the Zoning Administrator, in accordance with the provisions of Section 3.3.32. In addition to the data required under Section 3.3.32, said site plan shall contain the following information:

1. The location of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings, and distances from buildings to adjacent property lines and structures.
2. The location of all parking spaces, driveways and points of vehicular ingress and egress.
3. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used.
4. The location of solid waste receptacles and trash pick-up areas.

Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
C-1	P	N	N	Y	P	P

P= PERMITTED
 Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES
 N= NOT PERMITTED

Special Provisions

1. Uses Within Buildings

All uses shall be conducted entirely within a fully enclosed building, except those uses deemed by the County to be customarily and appropriately conducted in the open, including but not limited to service stations, drive-in restaurants, miniature golf, plant nursery display, etc. Automotive and vehicle service and repair establishments shall not store or park vehicles in the open except those vehicles being repaired or the privately owned vehicles of employees during business hours.

2. Trash Storage

No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in a location as shown on the Site Plan.

4.2.11 C-2 Wholesale Commercial Zone

A. Legislative Intent

The C-2 Wholesale Commercial Zone has been established to provide a location for a congruous mixture of wholesale and retail commercial activities and warehousing and storage uses. The zone also provides a location for the processing and fabrication of goods and materials, in conjunction with and incidental to a retail commercial establishment, under the condition that limited fumes, glare, smoke, dust, noise or vibrations are emitted beyond the or property.

Characteristic of uses permitted within this zone are building material supply and storage yards, automobile and farm machinery sales and repair service, machine shops, furniture and appliance repair, warehouses, housing parks, apartments, condominiums, and wholesale sales establishments.

Single family residential developments, heavy manufacturing activities, and other activities that would be inconsistent with the use of the land for commercial activities are not permitted in the zone.

The specific regulations necessary for the accomplishment of the intent of the zone are hereinafter set forth:

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	C-2
1. Accessory and non-accessory advertising signs, subject to the provisions of Section 3.3.25.	P
2. Animal hospitals and veterinary clinics	P
3. Apartment buildings	P
4. Auction houses	P
5. Automobile and light machinery repair	P
6. Automobile, motorcycle, snowmobile, watercraft sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure	P
7. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
8. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments	P
9. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
10. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.	P
11. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
12. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
13. Churches	P

14. Communication towers	P
15. Condominium projects, per Sections 5.7 and 5.8	C
16. Construction companies	P
17. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use	P
18. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
19. Factory-built housing parks subject to Section 5.9.	C
20. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	C
21. Farm equipment and supplies, gardening stores	P
22. Forest and plant nurseries and greenhouses	P
23. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
24. Funeral homes	P
25. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	P
26. Hotels and motels.	P
27. Kennels subject to compliance with County regulations.	P
28. Large scale industrial project in accordance with the provisions of Section 5.3.	N
29. Light construction companies, excepting heavy equipment, road building and excavation contractors	P
30. Livestock and commodity auctions	N
31. Livestock feed yards and facilities	N
32. Lodging Houses & Bed & Breakfasts.	P
33. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
34. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
35. Manufactured or modular home sales	P
36. Manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any industrial activity which involves the storage or processing of petroleum products or other hazardous materials shall be considered as large scale industrial projects, and subject to Section 5.3.	P
37. Medical clinics and associated medical facilities, subject to site plan approval by	P

Planning Commission	
38. Mine and well machinery storage and repair	N
39. Mine supply stores, including outside areas for the temporary storage of materials offered for sale	P
40. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
41. Minor utility transmission projects	N
42. Motion picture theaters, outdoor, subject to approval of a conditional use permit	C
43. Mountain recreational developments, per Section 5.11	N
44. Office buildings	P
45. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments	P
46. Planned shopping center developments and commercial condominium projects containing only those types of establishments and subject to the applicable provisions of Sections 5.7, 5.8 or 5.10 of this Code.	C
47. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops	P
48. Production of fruit and crops in the field.	P
49. Parks, playgrounds, open space and parking areas	P
50. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
51. Public buildings and grounds not including storage yards and repair shops.	P
52. Public restrooms, information centers, parking areas, and related activities	P
53. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted. (See footnote A)	P
54. Recreation vehicle courts, subject to the approval of the Planning Commission As set forth under Section 3.3.28	C
55. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges	P
56. Treatment Facilities and Programs as licensed by the State of Utah	C
57. Restaurants and food drive-ins.	P
58. Sales of agricultural products	P
59. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
60. Self-Storage Warehouses	P

61. Sexually Oriented Businesses/ Adult Retail Establishment (See footnote B)	C
62. Shooting ranges indoor	C
63. Specialty Tobacco/Smoke shop (See footnote C)	C
64. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables	N
65. Truck terminals subject to approval of a site plan as provided under Section 3.3.32	N
66. Warehouses	P
67. Water diversions, water distribution systems, facilities and structures for water	P
68. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N
69. Wholesale commercial sales establishments	P

Footnotes

- A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites
- B. Located 1,000 feet away from churches, parks, schools, other sexually oriented business and areas zoned as residential
- C. Shall comply with all State Regulations

D. Access Requirement

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
C-2	P	N	P

P=PERMITTED

- (1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

E. Location Requirements

Buildings shall be set back from the property or right-of-way line as per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
C-2	as approved(1)(3)	as approved(1)(3)	as approved (1)	as approved (1)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

**MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)**

ZONE	FRONT	SIDE	REAR
C-2	40 (3) as approved (1)	as approved (1)	as approved (1)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
C-2	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

F. Parking and Loading Requirements

No parking area that requires backing onto the street right-of-way in order to exit shall be permitted. All ingress and egress shall be by forward motion only, and all points of ingress and egress shall be clearly defined and channeled using structural barriers. The design and construction of all-street parking and access facilities shall be in accordance with County standards.

G. Area and Location of Zone

Each individual zone shall contain a minimum of 5 acres. Acreage maybe reduced by the land use authority upon sufficient evidence that the use will not have deleterious effects on adjacent properties., and each zone shall abut upon or have access to a collector or arterial class road as shown on the County's major street plan.

Site Plan Approval Required for Non-Conditional Uses

Prior to the construction of any building or establishment of a commercial use, a site plan shall be submitted to and approved by the Zoning Administrator, in accordance with the provisions of Section 3.3.32. Said site plan shall be drawn to scale and, in addition to the data required under Section 3.3.32, shall contain the following information:

1. The locations of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings and distances from buildings to adjacent property lines.
2. The location of all parking spaces, driveways and points of vehicular ingress and egress.
3. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used.
4. The location of solid waste receptacles and trash pick-up areas.
5. A landscaping plan.

H. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
C-2	P	N	N	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Special Provisions

1. Trash Storage

No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in the location as shown on the approved site plan.

2. Outside Storage Areas

All outside storage areas shall be enclosed within a fence or wall of not less than six (6) feet in height, provided that this provision shall not apply to areas used for the display of automobiles, factory built homes and similar items.

4.2.12 SC Shopping Center Zone

A. Legislative Intent

The SC Shopping Center Zone has been established to provide a location for large concentrations of commercial and service uses, under conditions that provide maximum flexibility in the layout of the various uses, and the development of a safe and harmonious mixture of buildings, landscaped areas and circulation routes.

The zone shall be characterized by a variety of retail and service buildings grouped into an integrated architectural unit. Yards and areas surrounding the buildings shall be attractively landscaped and maintained.

In order to provide convenient access for major traffic volumes without undue hazard, the zone should be located close to freeway interchanges or major arterial routes. A diversity of retail commercial and service uses, including department and variety stores, food stores, a broad range of specialty shops, restaurants, financial institutions and offices characterize such centers.

B. Permitted Uses

P=Permitted C=Conditional N= Not Permitted	SC
1. Accessory and non-accessory advertising signs, subject to the provisions of Section 3.3.25.	N
2. Animal hospitals and veterinary clinics	N
3. Apartment buildings	N
4. Auction houses	N
5. Automobile and light machinery repair	N
6. Automobile, motorcycle, snowmobile, watercraft sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure	N
7. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
8. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments	N
9. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
10. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.	N
11. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
12. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	N
13. Churches	N
14. Communication towers	P

15. Condominium projects, per Sections 5.7 and 5.8	N
16. Construction companies	N
17. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use	P
18. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
19. Factory-built housing parks subject to Section 5.9.	N
20. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
21. Farm equipment and supplies, gardening stores	N
22. Forest and plant nurseries and greenhouses	N
23. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
24. Funeral homes	N
25. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	P
26. Hotels and motels.	N
27. Kennels subject to compliance with County regulations.	N
28. Large scale industrial project in accordance with the provisions of Section 5.3.	N
29. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
30. Livestock and commodity auctions	N
31. Livestock feed yards and facilities	N
32. Lodging Houses & Bed & Breakfasts.	N
33. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
34. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
35. Manufactured or modular home sales	N
36. Manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any industrial activity which involves the storage or processing of petroleum products or other hazardous materials shall be considered as large scale industrial projects, and subject to Section 5.3.	N
37. Medical clinics and associated medical facilities, subject to site plan approval by Planning Commission	N

38. Mine and well machinery storage and repair	N
39. Mine supply stores, including outside areas for the temporary storage of materials offered for sale	N
40. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
41. Minor utility transmission projects	N
42. Motion picture theaters, outdoor, subject to approval of a conditional use permit	N
43. Mountain recreational developments, per Section 5.11	N
44. Office buildings	P
45. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments	P
46. Planned shopping center developments and commercial condominium projects containing only those types of establishments and subject to the applicable provisions of Sections 5.7, 5.8 or 5.10 of this Code.	C
47. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops	N
48. Production of fruit and crops in the field.	P
49. Parks, playgrounds, open space and parking areas	N
50. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	N
51. Public buildings and grounds not including storage yards and repair shops.	N
52. Public restrooms, information centers, parking areas, and related activities	P
53. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted. (See footnote A)	N
54. Recreation vehicle courts, subject to the approval of the Planning Commission As set forth under Section 3.3.28	N
55. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges	N
56. Treatment Facilities and Programs as licensed by the State of Utah	N
57. Restaurants and food drive-ins.	N
58. Sales of agricultural products	P
59. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
60. Self-Storage Warehouses	N
61. Sexually Oriented Businesses/ Adult Retail Establishment (See footnote B)	N
62. Shooting ranges indoor	N

63. Specialty Tobacco/Smoke shop (See footnote C)	N
64. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables	N
65. Truck terminals subject to approval of a site plan as provided under Section 3.3.32	N
66. Warehouses	N
67. Water diversions, water distribution systems, facilities and structures for water	P
68. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N
69. Wholesale commercial sales establishments	N

Footnotes

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

B. Located 1,000 feet away from churches, parks, schools, other sexually oriented business and areas zoned as residential

C. Shall comply with all State Regulations

D. Area and Location of Zone

Each single SC zone shall be determined by the land use authority, and each zone established by a change of zoning district shall abut upon and have access to a collector or arterial class road as shown on the County's major street plan.

E. Access

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
SC	P	N	N

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements Buildings shall be set back from the lot lines as outlined in Tables 4.3, 4.4, 4.5 or pages 4-3, 4-4, 4-5

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
SC	40 (3) as approved (1)	40 (3) as approved (1)	as approved (1)	as approved (1)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

**MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)**

ZONE	FRONT	SIDE	REAR
SC	40 (3) as approved (1)	as approved (1)	as approved (1)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
SC	as approved (1) (3) (4)	as approved (1) (4)	as approved (1) (4)	as approved (1)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
SC	P	N	N	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

F. Special Provisions

1. Landscaping – All shopping centers shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.
2. Storm Drainage – All shopping centers shall be served by a storm drainage system designed by a professional engineer licensed in the State of Utah, and approved by the County Engineer.
3. Trash Storage – All shopping centers shall have trash storage facilities constructed and maintained in accordance with the applicable provisions of Section 5.10 of this Code.

4.2.13 I-1 Light Industrial Zone

A. Legislative Intent

The I-1 Light Industrial zone has been established for the purpose of providing a place where firms engaged in the light manufacturing, processing, warehousing and fabrication of goods and materials can locate with minimum conflict or deleterious effect on surrounding properties and uses and with a high degree of protection from encroachment of residential and commercial uses. It is also intended in this zone to promote the economic well-being of the people and broaden the tax base.

The zone is characterized by a mixture of industrial establishments, situated on low sloping land, with ready access to major transportation routes, and served by adequate streets, power, water and other utilities and facilities. Some of the territory designated will consist of open land intended for future industrial development. Accordingly, it will be used for agriculture or other open land uses, until its industrial potential is realized.

Representative of the uses within the zone are structures utilized for light manufacturing, fabrication, processing, storage, warehousing, and wholesale distribution, under conditions which limit the generation of noise, vibration, smoke, odor, dust, fumes or hazard from explosion. Residential and retail commercial developments and other activities that would be inconsistent with the use of the land for industrial purposes are not permitted in the zone.

B. Land Uses

P=Permitted C=Conditional N=Not Permitted	I-1
1. Accessory and non-accessory advertising signs, subject to the provisions of Section 3.3.25.	P
2. Animal hospitals and veterinary clinics	P
3. Apartment buildings	N
4. Auction houses	N
5. Automobile and light machinery repair	P
6. Automobile, motorcycle, snowmobile, watercraft sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure	P
7. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	C
8. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments	P
9. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
10. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.	P
11. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
12. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P

13. Churches	
14. Communication towers	P
15. Condominium projects, per Sections 5.7 and 5.8	N
16. Construction companies	P
17. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use	P
18. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
19. Factory-built housing parks subject to Section 5.9.	N
20. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
21. Farm equipment and supplies, gardening stores	P
22. Forest and plant nurseries and greenhouses	P
23. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	C
24. Funeral homes	N
25. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	P
26. Hotels and motels.	N
27. Kennels subject to compliance with County regulations.	P
28. Large scale industrial project in accordance with the provisions of Section 5.3.	C
29. Light construction companies, excepting heavy equipment, road building and excavation contractors	P
30. Livestock and commodity auctions	C
31. Livestock feed yards and facilities	P
32. Lodging Houses & Bed & Breakfasts.	N
33. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
34. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	C
35. Manufactured or modular home sales	N
36. Manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any industrial activity which involves the storage or processing of petroleum products or other hazardous materials shall be considered as large scale industrial projects, and subject to Section 5.3.	C

37. Medical clinics and associated medical facilities, subject to site plan approval by Planning Commission	N
38. Mine and well machinery storage and repair	P
39. Mine supply stores, including outside areas for the temporary storage of materials offered for sale	P
40. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	
41. Minor utility transmission projects	P
42. Motion picture theaters, outdoor, subject to approval of a conditional use permit	N
43. Mountain recreational developments, per Section 5.11	N
44. Office buildings	P
45. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments	N
46. Planned shopping center developments and commercial condominium projects containing only those types of establishments and subject to the applicable provisions of Sections 5.7, 5.8 or 5.10 of this Code.	N
47. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops	P
48. Production of fruit and crops in the field.	P
49. Parks, playgrounds, open space and parking areas	N
50. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
51. Public buildings and grounds not including storage yards and repair shops.	P
52. Public restrooms, information centers, parking areas, and related activities	P
53. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted. (See footnote A)	P
54. Recreation vehicle courts, subject to the approval of the Planning Commission As set forth under Section 3.3.28	N
55. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges	N
56. Treatment Facilities and Programs as licensed by the State of Utah	N
57. Restaurants and food drive-ins.	N
58. Sales of agricultural products	P
59. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	C

60. Self-Storage Warehouses	P
61. Sexually Oriented Businesses/ Adult Retail Establishment (See footnote B)	C
62. Shooting ranges indoor	C
63. Specialty Tobacco/Smoke shop (See footnote C)	C
64. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables	P
65. Truck terminals subject to approval of a site plan as provided under Section 3.3.32	C
66. Warehouses	P
67. Water diversions, water distribution systems, facilities and structures for water	P
68. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	P
69. Wholesale commercial sales establishments	P

Footnotes

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

B. Located 1,000 feet away from churches, parks, schools, other sexually oriented business and areas zoned as residential

C. Shall comply with all State Regulations

C. Area Requirements

There shall be no minimum area requirements except that area sufficient to accommodate location requirements, off-street parking, loading and unloading, and vehicular access shall be provided and maintained.

D. Width Requirements

Each zoning lot shall have a minimum width of 80 feet, measured along the front property line.

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
I-1	P	N	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the lot lines as per Tables 4.2, 4.3 or 4.4, pages 4-3, 4-4 or 4-5.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
I-1	30 or 40 (3)	30 or 40 (3)	20	20

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
I-1	30 or 40 (3)	20	20

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
I-1	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Parking and Loading Requirements

Each lot or parcel shall provide parking and access facilities, which are designed and constructed in accordance with County or approved standards for the proposed use.

H. Area and Location of Zone

Each single I-1 zone shall contain a minimum of 5 acres. Acreage maybe reduced by the land use authority upon sufficient evidence that the use will not have deleterious effects on adjacent properties , and each zone established by a change of zoning district shall abut upon or have access to a collector or arterial class road as shown on the County major street plan.

I. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
I-1	P	N	N	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

J. Special Provisions

1. Uses Within Buildings – All uses shall be conducted entirely within a fully enclosed building, except those uses deemed by the County to be customarily and appropriately conducted in the open, and limited as approved.
2. Trash Storage – No trash, used materials, or wrecked or abandoned vehicles or equipment shall be stored in an open area. Containers for trash storage of a size, type and quantity approved by the County shall be maintained in the location as shown on the approved site plan.
3. Outside Storage Areas – All outside storage areas shall be enclosed within a fence or wall of not less than six (6) feet in height.
4. Maintenance of Premises – The yards around buildings shall be kept free of debris, refuse, weeds and other flammable material that may constitute a fire hazard.

5. Landscaping – All industrial developments shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.

4.2.14 I-2 Heavy Industrial Zone

A. Legislative Intent

The I-2 General Industrial zone has been established for the purpose of providing a place where firms engaged in mining and related activities, and/or heavy manufacturing, processing and fabrication of goods and materials, can locate with minimum conflict or deleterious effect on surrounding properties and the natural environment, and with a high degree of protection from encroachment of residential and commercial uses. It is also the intent of this zone to promote the economic well-being of the people within the County and to broaden the tax base.

The zone is characterized by a mixture of industrial establishments, which, because of the nature of the operation, may produce hazards, nuisances, or disturbances if located in close proximity to urbanized areas. In general, these zones are situated on relatively flat land, with ready access to major highways and/or railroad tracks.

Some of the territory designated will consist of open land intended for future industrial development or as a buffer to adjacent development. Accordingly, some of the territory within the zone will be used for agriculture or grazing activities.

Representative of the uses and activities within the zone are manufacturing plants, mines and pits and mineral processing and loading facilities, electric power generating plants, metal fabrication, automobile wrecking and salvage yards, animal by-product plants, petroleum refineries, and concrete batching plants.

The specific requirements necessary for the accomplishment of the purposes of the zone are hereinafter set forth:

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	I-2
1. Accessory and non-accessory advertising signs, subject to the provisions of Section 3.3.25.	P
2. Animal hospitals and veterinary clinics	P
3. Apartment buildings	N
4. Auction houses	N
5. Automobile and light machinery repair	P
6. Automobile, motorcycle, snowmobile, watercraft sales structures and lots, for both new and used units. Also, the related repair facilities when such facilities are included as an integral part of the sales structure	P
7. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	C
8. Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, minor automotive repair establishments	P
9. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
10. Building material supply stores, including outside areas for the temporary storage of materials offered for sale.	P
11. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P

12. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
13. Churches	
14. Communication towers	P
15. Condominium projects, per Sections 5.7 and 5.8	N
16. Construction companies	P
17. Customary commercial accessory buildings and facilities, provided they are incidental to and do not substantially alter the character of the principle use	P
18. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
19. Factory-built housing parks subject to Section 5.9.	N
20. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
21. Farm equipment and supplies, gardening stores	P
22. Forest and plant nurseries and greenhouses	P
23. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	C
24. Funeral homes	N
25. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	P
26. Hotels and motels.	N
27. Kennels subject to compliance with County regulations.	P
28. Large scale industrial project in accordance with the provisions of Section 5.3.	C
29. Light construction companies, excepting heavy equipment, road building and excavation contractors	P
30. Livestock and commodity auctions	C
31. Livestock feed yards and facilities	P
32. Lodging Houses & Bed & Breakfasts.	N
33. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
34. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	C
35. Manufactured or modular home sales	N
36. Manufacturing, compounding, processing, fabrication and warehousing of goods and materials, provided that all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any industrial activity which involves the storage or processing of petroleum products or other	C

hazardous materials shall be considered as large scale industrial projects, and subject to Section 5.3.	
37. Medical clinics and associated medical facilities, subject to site plan approval by Planning Commission	N
38. Mine and well machinery storage and repair	P
39. Mine supply stores, including outside areas for the temporary storage of materials offered for sale	P
40. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	C
41. Minor utility transmission projects	P
42. Motion picture theaters, outdoor, subject to approval of a conditional use permit	N
43. Mountain recreational developments, per Section 5.11	N
44. Office buildings	P
45. Personal service establishments, such as barber and beauty shops, photographic studios, shoe repair, laundries (commercial and self-service), reception centers and similar establishments	N
46. Planned shopping center developments and commercial condominium projects containing only those types of establishments and subject to the applicable provisions of Sections 5.7, 5.8 or 5.10 of this Code.	N
47. Plumbing, cabinet, sheet metal and light metal fabrication, welding, heating and air conditioning, electronics and similar shops	P
48. Production of fruit and crops in the field.	P
49. Parks, playgrounds, open space and parking areas	N
50. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
51. Public buildings and grounds not including storage yards and repair shops.	P
52. Public restrooms, information centers, parking areas, and related activities	P
53. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted. (See footnote A)	P
54. Recreation vehicle courts, subject to the approval of the Planning Commission As set forth under Section 3.3.28	N
55. Recreational enterprises including bowling alleys, recreation centers, motion picture theatres (indoor only), athletic clubs, private clubs and fraternal lodges	N
56. Treatment Facilities and Programs as licensed by the State of Utah	N
57. Restaurants and food drive-ins.	N
58. Sales of agricultural products	P
59. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	C

60. Self-Storage Warehouses	P
61. Sexually Oriented Businesses/ Adult Retail Establishment (See footnote B)	N
62. Shooting ranges indoor	C
63. Specialty Tobacco/Smoke shop (See footnote C)	N
64. Structures and buildings for the sorting, grading, packaging, storage and processing of fresh fruits and vegetables	P
65. Truck terminals subject to approval of a site plan as provided under Section 3.3.32	C
66. Warehouses	P
67. Water diversions, water distribution systems, facilities and structures for water	P
68. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	P
69. Wholesale commercial sales establishments	P

Footnotes

- A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites
 B. Located 1,000 feet away from churches, parks, schools, other sexually oriented business and areas zoned as residential
 C. Shall comply with all State Regulations

C. Area Requirements

There shall be no minimum area requirements except that an area sufficient to accommodate location requirements, off-street parking, loading and unloading, and vehicular access shall be provided and maintained.

D. Width Requirements

Each zoning lot shall have a minimum width of eighty (80) feet, measured at the front property line.

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
I-2	P	N	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the lot lines as per Tables 4.2, 4.3 or 4.4, pages 4-60, 4-61 or 4-62.

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
I-2	30 or 40 (3)	30 or 40 (3)	20	20

(1) See the Building Code for required setbacks based on type of construction.

- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
I-2	30 or 40 (3)	20	20

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
I-2	30 or 40 (3)	30 or 40 (3)	20 (1) (4)	20 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Parking and Loading Requirements

Each lot or parcel shall provide parking and access facilities, which are designed and constructed in accordance with County standards for the proposed use.

H. Area and Location of Zone

Each single I-1 zone shall contain a minimum of 5 acres. Acreage maybe reduced by the land use authority upon sufficient evidence that the use will not have deleterious effects on adjacent properties, and each zone established by a change of zoning district shall abut upon or have access to a collector or arterial class road as shown on the County major street plan.

I. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
I-2	P	N	N	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

Landscaping

All industrial developments shall be fully landscaped as per a plan submitted to and approved by the Planning Commission.

4.2.15 M&G Mining and Grazing Zone

A. Legislative Intent

The M&G Mining and Grazing Zone generally covers the rangeland areas of Carbon County to an elevation of 7,000 feet. Because of the limitations imposed by climate, topography, soil capability, water supply and the presence of economically significant mineral deposits, this area has historically been utilized as a place for the grazing of livestock on the open range and as the location of numerous mining and mineral exploration sites. The particular characteristics and conditions present in this area make the land more appropriately suited for a continuation of these uses to promote the economic well-being of the people within the County, and to broaden the tax base.

The specific regulations necessary for the accomplishment of the purposes as outlined above are hereinafter set forth.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	M&G
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	C
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
5. Care and keeping of domestic livestock and fowl without restriction as to number	P
6. Caretaker camps as per Section 3.3.25	P
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
8. Churches	N
9. Communication towers	P
10. Condominium projects, per Sections 5.7 and 5.8	N
11. Customary residential accessory structures	P
12. Guest ranches and resorts	C
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	P
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	C
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N

17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	N
18. Grazing of Livestock on open and fenced rangeland	P
19. Home occupations subject to the provisions of Section 3.3.16.	N
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	N
22. Kennels subject to compliance with County regulations.	P
23. Large scale industrial project in accordance with the provisions of Section 5.3.	C
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	P
26. Lodging Houses & Bed & Breakfasts.	P
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	C
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	P
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	P
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	C
32. Minor utility transmission projects	P
33. Mountain recreational developments, per Section 5.11	N
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	N
36. Private Camps as per section 3.3.27	N
37. Production of fruit and crops in the field.	P
38. Parks, playgrounds, open space and parking areas	N
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
40. Public buildings and grounds not including storage yards and repair shops.	N
41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N

43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
44. Treatment Facilities and Programs as licensed by the State of Utah	C
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	C
46. Sales of agricultural products	P
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	C
Shooting ranges outdoor	C
48. Single-family dwellings, conventional construction and factory built.	N
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	N
50. Timber harvesting, with appurtenant roadways and facilities	P
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	P

D. Area Requirements

There shall be no minimum area requirements except as may be required under other provisions of Code.

E. Width Requirements

There shall be no minimum width requirements except as may be required under other provisions of this Code.

F. Access

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
M&G	P	P	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

G. Location Requirements

Buildings shall be set back from the lot lines as per Tables 4.2, 4.3 or 4.4, pages 4-60, 4-61 or 4-62.

MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
M&G	60 or 30 (2)	60 or 30 (2)	30	30

- (1) See the Building Code for required setbacks based on type of construction.
(2) 60 feet from center of road, 30 feet from property line.
(3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
M&G	60 or 30 (2)	30	30

- (1) See the Building Code for required setbacks based on type of construction.
(2) 60 feet from center of road, 30 feet from property line.
(3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
M&G	60 or 30 (2)	30 or 40 (3)	30 (1) (4)	30 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
(2) 60 feet from center of road, 30 feet from property line.
(3) 40 feet if parking
(4) No drainage from roof will be discharged onto an adjacent lot

H. Size and Height Requirements

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

I. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
M&G	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

J. Special Requirements

Reserved

K. Trash Requirements

The yards around buildings shall be kept free of debris, refuse, weeds and other flammable material that may constitute a fire hazard.

4.2.16 WS Water Shed Zone

A. Declaration of Legislative Intent

The WS Water Shed Zone (formerly CE-1 Zone) covers the canyons, mountains, and other lands above 7,000 feet in elevation, and of environmental concern in the County. Because of limitations imposed by topography, climate, soil conditions and other natural features, use of the land within this zone has been limited primarily to livestock grazing and related uses, wildlife habitat, certain outdoor recreation activities and facilities, and limited mineral extraction.

The land within this zone has functioned historically as part of the watershed for a majority of the irrigation, culinary, and industrial water supply for the Price River Valley and East Carbon City area. It is also recognized that the landscape is constantly changing due to natural occurrences such as fire, flood, insect infestations and landslides. Human activities such as logging, grazing, hunting, camping and other uses affect the landscape, and are accepted as normal in this zone. Experience has shown this watershed area to be fragile; its confirmed function as a water source is of critical importance to the County.

As certain areas are determined to be not critical to the watershed, they may be placed into other zoning districts.

B. Land Uses

P=Permitted C=Conditional N=Not Permitted	WS
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
5. Care and keeping of domestic livestock and fowl without restriction as to number	P
6. Caretaker camps as per Section 3.3.25	P
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	N
8. Churches	N
9. Communication towers	P
10. Condominium projects, per Sections 5.7 and 5.8	N
11. Customary residential accessory structures	N
12. Guest ranches and resorts	N
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N

15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	N
18. Grazing of Livestock on open and fenced rangeland	P
19. Home occupations subject to the provisions of Section 3.3.16.	N
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	N
22. Kennels subject to compliance with County regulations.	P
23. Large scale industrial project in accordance with the provisions of Section 5.3.	N
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	N
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	P
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	P
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
32. Minor utility transmission projects	N
33. Mountain recreational developments, per Section 5.11	N
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	N
36. Private Camps as per section 3.3.27	P
37. Production of fruit and crops in the field.	P
38. Parks, playgrounds, open space and parking areas	N
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	N
40. Public buildings and grounds not including storage yards and repair shops.	N

41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N
43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	C
46. Sales of agricultural products	N
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	N
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	P
50. Timber harvesting, with appurtenant roadways and facilities	P
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnotes:

A. Single-family dwellings, conventional and factory built, in accordance with the following:

- No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of Section 3.3.32.
- Site plans shall comply with the following:
 - The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
 - On-site sewage drain field shall be located and approved by the Southeastern Utah Health Department and Table 4.6 Onsite Waster Water setback.
 - Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
 - All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.
 - No dwelling shall be constructed on slopes having a natural gradient of thirty (30) percent or greater

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family Dwelling	Forty (40) acres Or When located on a Non-conforming lot Of record	300 feet as recorded

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
WS	P	P	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

No buildings or structures shall be located closer than sixty (60) feet from the center line of a designated County road or private travel way, or thirty (30) feet from the right-of-way of said road or travel way, whichever is greater, nor shall any structure be located closer than thirty (30) feet from any property line.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
WS	60 or 30 (2)	60 or 30 (2)	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
WS	60 or 30 (2)	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
WS	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirement

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
WS	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

4.2.17 MR Mountain Range Zone

A. Declaration of Legislative Intent

The MR Mountain Range Zone (formerly CE-2 Zone) covers the mountain lands of the County generally which, because of the presence of less severe physical conditions, have experienced historic settlement and are of less critical water shed concern than the WS Zone, and are suitable for limited levels of development activity. These lands are situated over the elevation of 7,000 feet.

Historically, lands within this zone have been used for livestock grazing, ranching, mining, logging, and other productive uses. These lands also function as a part of the watershed that supplies nearly all the irrigation and culinary water for the Price River Valley and East Carbon City areas.

Because of a combination of factors, including accessibility from existing roads, railroads, availability of water, suitable topographical, soil and vegetative conditions, and aesthetic attractions, the territory included within this zone is capable of accommodating irrigated agricultural and certain mining, recreational and summer housing developments without due adverse effect on the quality of the watershed, provided that such developments are constructed and maintained under regulated conditions.

The specific regulations necessary for the accomplishment of the purposes as outlined above are hereinafter set forth.

B. Land Uses

P=Permitted C=Conditional N=Not Permitted	MR
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	P
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
5. Care and keeping of domestic livestock and fowl without restriction as to number	P
6. Caretaker camps as per Section 3.3.25	P
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
8. Churches	N
9. Communication towers	P
10. Condominium projects, per Sections 5.7 and 5.8	N
11. Customary residential accessory structures	N
12. Guest ranches and resorts	N
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and	C

other applicable sections of this Code.	
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	N
18. Grazing of Livestock on open and fenced rangeland	P
19. Home occupations subject to the provisions of Section 3.3.16.	P
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	C
22. Kennels subject to compliance with County regulations.	P
23. Large scale industrial project in accordance with the provisions of Section 5.3.	N
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	P
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	C
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	P
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	P
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	P
32. Minor utility transmission projects	P
33. Mountain recreational developments, per Section 5.11	P
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	C
36. Private Camps as per section 3.3.27	P
37. Production of fruit and crops in the field.	P
38. Parks, playgrounds, open space and parking areas	P

39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
40. Public buildings and grounds not including storage yards and repair shops.	N
41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N
43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	C
46. Sales of agricultural products	N
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	C
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	N
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	P
50. Timber harvesting, with appurtenant roadways and facilities	P
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnotes:

A. Single-family dwellings, conventional and factory built, in accordance with the following:

- No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of Section 3.3.32.
- Site plans shall comply with the following:
 - The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
 - On-site sewage drain field shall be located and approved by the Southeastern Utah Health Department and Table 4.6 Onsite Waster Water setback.
 - Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
 - All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.
 - No dwelling shall be constructed on slopes having a natural gradient of thirty (30) percent or greater

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>		<u>MINIMUM WIDTH</u>
Single-family dwelling	Ten (10) acres when served by central sewer, or		300 feet
	Forty (40) acres when served by septic system, or		300 feet
	When located on a lot in an approved planned mountain home development, or		as approved
	When located on a non-conforming lot of record		as recorded
Planned mountain home developments (per dwelling)	On Sewer	20,000 sf	130 feet
	On Septic	one (1) acre	150 feet

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
MR	P	P	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

No buildings or structures shall be located closer than sixty (60) feet from the center line of a designated County road or private travel way, or thirty (30) feet from the right-of-way line of said road or travel way, whichever is greater; nor shall any structure be located closer than thirty (30) feet from any property line.

**MAIN BUILDING ON CORNER LOTS
(In feet measured from property line)**

ZONE	FRONT	STREET	SIDE	REAR
MR	60 or 30 (2)	60 or 30 (2)	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS
(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
MR	60 or 30 (2)	30	30

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
MR	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
- (2) 60 feet from center of road, 30 feet from property line.
- (3) 40 feet if parking
- (4) No drainage from roof will be discharged onto an adjacent lot

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirements Outside of a Planned Mountain Home Development

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
MR	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

4.2.18 SL Scofield Lakeshore Zone

A. Legislative Intent

The primary purpose in establishing the SL Scofield Lakeshore Zone (formerly S-1 Zone) is to promote and protect the water quality of the lakeshore and prevent the degradation of the natural and social environment in the Scofield Reservoir area.

Accordingly, the major purpose of the SL Scofield Lakeshore Zone is to establish standards for the further filling in or expanding of existing developed areas adjacent to the Scofield shoreline, and a mechanism for implementing those standards.

Development in this zone is characterized by a mixture of conventional, log and factory built dwellings on relatively small individual lots that are served by approved culinary water and sewage disposal facilities.

Because of the significance of the reservoir as the principle source of culinary, industrial and irrigation water for the Price River Valley, and also as a prime water-based recreation facility, a major focus of the requirements of this zone are directed toward the preservation of the quality of both surface and underground waters in the reservoir area.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	SL
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	N
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
5. Care and keeping of domestic livestock and fowl without restriction as to number	N
6. Caretaker camps as per Section 3.3.25	N
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	N
8. Churches	N
9. Communication towers	
10. Condominium projects, per Sections 5.7 and 5.8	P
11. Customary residential accessory structures	P
12. Guest ranches and resorts	C
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	N

14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	N
18. Grazing of Livestock on open and fenced rangeland	N
19. Home occupations subject to the provisions of Section 3.3.16.	P
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	N
22. Kennels subject to compliance with County regulations.	N
23. Large scale industrial project in accordance with the provisions of Section 5.3.	N
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	P
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	N
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	N
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
32. Minor utility transmission projects	P
33. Mountain recreational developments, per Section 5.11	N
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	C
36. Private Camps as per section 3.3.27	N
37. Production of fruit and crops in the field.	N
38. Parks, playgrounds, open space and parking areas	P
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	N

40. Public buildings and grounds not including storage yards and repair shops.	N
41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N
43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	N
46. Sales of agricultural products	N
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	N
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	P
50. Timber harvesting, with appurtenant roadways and facilities	N
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwelling	12,000 sf	80 feet
Other uses	as approved	as approved

E. Access requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
SL	P	N	P

P=PREMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line as per tables 4.2, 4.3 and 4.4, pages 4-60, 4-61 or 4-62.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
SL	5	5	5	5

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
SL	5	5	5

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
SL	5	5	5 (1) (4)	5 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Size and Width of Dwelling

Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.

H. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
SL	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

4.2.19 PV Pleasant Valley Zone

A. Legislative Intent

The intent in establishing the PV Pleasant Valley Zone (formerly S-2 Zone) is to protect the water quality of Scofield Reservoir and surrounding watersheds of Pleasant Valley, and to protect the private property rights and natural values of the Scofield reservoir areas.

Accordingly, the major purpose of the PV Pleasant Valley Zone is to establish standards for development of the Pleasant Valley. A mixture of existing mobile homes, new factory-built homes, conventional-built homes, and log construction characterizes development in this zone. Because of the significance of the reservoir as the major source of culinary, irrigation and industrial water for Carbon County, and a prime water-based recreation area, this zone is directed toward the preservation of surface and underground water quality, and the preservation of open space.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	PV
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
5. Care and keeping of domestic livestock and fowl without restriction as to number	N
6. Caretaker camps as per Section 3.3.25	N
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	N
8. Churches	N
9. Communication towers	P
10. Condominium projects, per Sections 5.7 and 5.8	C
11. Customary residential accessory structures	P
12. Guest ranches and resorts	C
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N

16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	N
18. Grazing of Livestock on open and fenced rangeland	N
19. Home occupations subject to the provisions of Section 3.3.16.	P
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	N
22. Kennels subject to compliance with County regulations.	N
23. Large scale industrial project in accordance with the provisions of Section 5.3.	N
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	C
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	N
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	N
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
32. Minor utility transmission projects	P
33. Mountain recreational developments, per Section 5.11	P
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	C
36. Private Camps as per section 3.3.27	N
37. Production of fruit and crops in the field.	N
38. Parks, playgrounds, open space and parking areas	P
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
40. Public buildings and grounds not including storage yards and repair shops.	N
41. Public restrooms, information centers, parking areas, and related activities	P

42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N
43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	N
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	
46. Sales of agricultural products	P
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	P
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	N
50. Timber harvesting, with appurtenant roadways and facilities	N
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

D. Area and Width Requirements

The minimum area and width requirements for a zoning lot shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family Dwelling	2 acres	130 feet
Planned mountain home development (per dwelling)	On Sewer, 20,000 sf On Septic, one acre	100 feet 130 feet
Mountain recreation development	as approved	as approved
Private parks, parking areas & storage facilities	5 acres	as approved

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
PV	P	P	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line as per Tables 4.2, 4.3 or 4.4, pages 4-60, 4-61 or 4-62.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
PV	30	30	8	30

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
PV	30	8	30

ACCESSORY BUILDINGS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
PV	50	40	8 (1) (4)	8 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Height of Building

The maximum height of any building shall be twenty (20) feet or two (2) stories, whichever is higher.

H. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
PV	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Size of Dwelling

The minimum gross ground floor area of any dwelling shall be six hundred (600) square feet. The minimum width and length dimension of any dwelling as measured from the outside wall shall be not less than twenty-four (24) feet. Non-living spaces such as garages, porches, and decks shall not be included in determining compliance with this requirement.

4.2.20 RFM Recreation, Forestry and Mining

A. Legislative Intent

The RFM Recreation, Forestry & Mining Zone has been established as a district in which the primary use of the land is for recreation, forestry, grazing, wildlife, and mining purposes. In general, this zone covers the ranching and mining portions of the unincorporated area of the County and is characterized by mountains, canyons, and grazing lands interspersed by ranches, recreational camps and resorts, outdoor recreational facilities, mines, oil and gas wells, and facilities related thereto. Natural and manmade lakes are also characteristic of this zone. In order to accomplish the objectives of this zone, the following regulations shall apply in the RFM Recreation, Forestry & Mining Zone.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	RFM
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	P
5. Care and keeping of domestic livestock and fowl without restriction as to number	N
6. Caretaker camps as per Section 3.3.25	N
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	P
8. Churches	N
9. Communication towers	P
10. Condominium projects, per Sections 5.7 and 5.8	N
11. Customary residential accessory structures	N
12. Guest ranches and resorts	C
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	C
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	C
17. General retail stores and shops providing goods and services for sale at retail in the customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of	P

and incidental to the retail establishment	
18. Grazing of Livestock on open and fenced rangeland	P
19. Home occupations subject to the provisions of Section 3.3.16.	P
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	N
22. Kennels subject to compliance with County regulations.	N
23. Large scale industrial project in accordance with the provisions of Section 5.3.	C
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	N
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	P
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	C
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	N
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	P
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
32. Minor utility transmission projects	N
33. Mountain recreational developments, per Section 5.11	P
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	C
36. Private Camps as per section 3.3.27	N
37. Production of fruit and crops in the field.	P
38. Parks, playgrounds, open space and parking areas	P
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	C
40. Public buildings and grounds not including storage yards and repair shops.	N
41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	N
43. Raising, care and keeping of large animals under the following conditions: a. The number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No	

animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	P
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	C
46. Sales of agricultural products	P
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	N
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	P
50. Timber harvesting, with appurtenant roadways and facilities	P
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnotes:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

B. Single-family dwellings, conventional and factory built, in accordance with the following:

- No dwelling or other structure intended for human occupancy shall be constructed without the prior approval of a site plan in accordance with the provisions of Section 3.3.32.
- Site plans shall comply with the following:
 - The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
 - On-site sewage drain field shall be located and approved by the Southeastern Utah Health Department and Table 4.6 Onsite Waster Water setback.
 - Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, which site shall contain slopes of less than thirty (30) percent.
 - All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.
 - No dwelling shall be constructed on slopes having a natural gradient of thirty (30) percent or greater

C. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
Single-family dwellings	five (5) acres when served by central sewer, or	300 feet
	ten (10) acres when served by septic system, or	330 feet
	when located on a non-conforming lot of record	as recorded
Stores, camps, bed & breakfasts, guest ranches	as approved	as approved

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
RFM	P	P	P

P=PERMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line as per Tables 4.2, 4.3 or 4.4, pages 4-60, 4-61 or 4-62.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RFM	60 or 30 (2)	60 or 30 (2)	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
RFM	60 or 30 (2)	30	30

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS
(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
RFM	60 or 30 (2)	60 or 30 (2)	30 (1) (4)	30 (1) (4)

- (1) See the Building Code for required setbacks based on type of construction.
 (2) 60 feet from center of road, 30 feet from property line.
 (3) 40 feet if parking
 (4) No drainage from roof will be discharged onto an adjacent lot

G. Size and Width of Dwellings and Rental Cabins

1. Each dwelling shall have a main floor living area of not less than six hundred (600) square feet, and a total width and length dimension of not less than twenty (20) feet.
2. Each rental cabin shall have a main floor living area of not less than two hundred forty (240) square feet, and a total width and length dimension of not less than twelve (12) feet.

H. Utility Requirements – (if outside of a planned mountain home development or a mountain recreation development)

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
RFM	P	Y	Y	Y	P	P

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

I. Special Requirements for Single-family Dwellings

1. The lot and structure shall be in compliance with all requirements of this zone relating to area, width, access, location, size of dwelling, and utilities.
2. No dwelling or septic tank drain field shall be located closer than three hundred (300) feet from a perennial or intermittent stream channel, or within one thousand five hundred (1,500) feet of a known spring when located at an elevation higher than said spring, or within one hundred (100) feet when located at an elevation lower than said spring.
3. No dwelling shall be constructed on slopes having a gradient of thirty (30) percent or greater.
4. Each building site shall have a buildable area of not less than twenty thousand (20,000) square feet, containing slopes less than thirty (30) percent.
5. All roads and travel easements shall, to the maximum extent possible, be located so as to minimize negative impacts to the natural environment.

4.2.21 HMC Historic Mining Camp Zone

A. Legislative Intent

The HMC Historic Mining Camp Zone has been established to recognize the unique historical values, cultural resources, lifestyles and construction types which occurred in the coal company towns of Carbon County, and which are owned or occupied by private land owners and lessees. In general, this zone is intended to include historic town sites, to preserve private property rights, and to allow the owners of homes to enjoy all the rights vested in their existing structures and lifestyle and in any future additions. New construction in the zone shall be designed and constructed to blend with the vernacular style of Carbon County coal camps and existing architectural styles, siting, materials, and colors.

B. Land Uses

P=Permitted C=Conditional N= Not Permitted	HMC
1. Automobile and motorcycle racetracks and racecourses, subject to approval of a site plan by the Planning Commission	N
2. Barns, stables, corrals, pens, coops and other buildings for the care and keeping of domestic livestock, provided that no such facility shall be located closer than seventy-five (75) feet to an existing dwelling and not less than one hundred (100) feet from any drainage channels.	P
3. Buildings, silos and other structures for the storage and keeping of agricultural machinery and products	N
4. Burials: interment of a person, when made by a Utah licensed funeral director or person with a burial-transit permit, provided that each such burial site shall be located by Global Positioning Satellite System (GPS) data and be mapped by Carbon County.	N
5. Care and keeping of domestic livestock and fowl without restriction as to number	N
6. Caretaker camps as per Section 3.3.25	N
7. Caretaker dwellings subject to the conditions set forth in Section 3.3.27	N
8. Churches	P
9. Communication towers	N
10. Condominium projects, per Sections 5.7 and 5.8	N
11. Customary residential accessory structures	P
12. Guest ranches and resorts	C
13. Exploratory and production wells subject to approval of a site plan, and approval of a conditional use permit by the Planning Commission, as set forth in Section 3.3.32 and other applicable sections of this Code.	N
14. Facilities for the raising of mink, beaver, nutria and similar fur-bearing animals	N
15. Fairgrounds, rodeo arenas, racetracks and racecourses, schools, training and correctional facilities	N
16. Forest industries such as sawmills and storage yards, subject to approval of a site plan per Section 3.3.32.	N
17. General retail stores and shops providing goods and services for sale at retail in the	P

customary manner, provided that all storage and sales activity shall be contained within a building. Also, manufacturing and processing activities which are an integral part of and incidental to the retail establishment	
18. Grazing of Livestock on open and fenced rangeland	N
19. Home occupations subject to the provisions of Section 3.3.16.	P
20. Household pets	P
21. Institutional campground and campsite facilities when approved by the Planning Commission subject to the requirements and standards of section 3.3.28.	C
22. Kennels subject to compliance with County regulations.	N
23. Large scale industrial project in accordance with the provisions of Section 5.3.	N
24. Light construction companies, excepting heavy equipment, road building and excavation contractors	P
25. Livestock feed yards and facilities	N
26. Lodging Houses & Bed & Breakfasts.	P
27. Major utility transmission and railroad projects when approved in accordance with the provisions of Section 5.5	C
28. Major underground and surface mine developments, when approved by the Planning Commission and in accordance with the applicable provisions of Section 5.4	N
29. Manmade lakes, reservoirs, ponds and dams when under the (10) acre-feet in capacity	N
30. Manmade lakes, reservoirs, ponds and dams over ten (10) acre-feet in capacity when approved by the Planning Commission	N
31. Minor mines subject to the prior approval of a site plan, as provided under Section 3.3.32	N
32. Minor utility transmission projects	P
33. Mountain recreational developments, per Section 5.11	N
34. Pet cemeteries for interment of family pets or domestic livestock.	P
35. Planned mountain home developments subject to the provisions and conditions set forth in Section 5.2	N
36. Private Camps as per section 3.3.27	N
37. Production of fruit and crops in the field.	P
38. Parks, playgrounds, open space and parking areas	P
39. Public and private airports, flying fields, helicopter pads, including terminal and aircraft storage facilities, subject to approval of a site plan by the Planning Commission	N
40. Public buildings and grounds not including storage yards and repair shops.	P
41. Public restrooms, information centers, parking areas, and related activities	P
42. Public, private and parochial schools and grounds subject to the approval of the Planning Commission as set forth under Section 3.3.33	C
43. Raising, care and keeping of large animals under the following conditions: a. The	P

number of animals kept on any lot or parcel shall not exceed one animal unit for each 10,000 square feet of area of the lot, which is used as livestock management area b. No animals shall be kept on any lot or parcel where less than 10,000 square feet of the lot is used as livestock management area, nor shall fractional animal units be permitted.	
44. Treatment Facilities and Programs as licensed by the State of Utah	N
45. Reservoirs, ponds, dams, utility transmission lines and substations, water pumping plants and pipelines, public utility buildings and structures.	N
46. Sales of agricultural products	N
47. Sand, gravel, clay and other earth pits that qualify as major underground or surface mine developments when approved in accordance with the provisions of Section 5	N
Shooting ranges outdoor	N
48. Single-family dwellings, conventional construction and factory built.	P
49. Single-family dwellings, conventional construction and factory built, when placed on a lot within an approved planned mountain home development, or on an existing lot of record, provided that each such dwelling shall require approval of a site plan in accordance with Section 3.3.32 of this Code	N
50. Timber harvesting, with appurtenant roadways and facilities	N
51. Water diversions, water distribution systems, facilities and structures for water	P
52. Water treatment plants, culinary water storage tanks, and sewage treatment plants when approved by the Planning Commission	N

Footnote:

A. No keeping of large animals shall be permitted to be located in an approved platted subdivisions or town sites

D. Area and Width Requirements

The minimum area and width of a zoning lot within the zone shall be as follows:

<u>USE</u>	<u>MINIMUM AREA</u>	<u>MINIMUM WIDTH</u>
One-family dwelling	10,000 sf	100 feet
Bed and breakfast	12,000 sf	120 feet
Retail store/service company	12,000 sf	120 feet
Church	40,000 sf	150 feet
School	40,000 sf	150 feet
Public park	3,000 sf	30 feet

The permitted and conditional uses, minimum areas, and minimum widths for existing land uses for residential purposes shall be as recorded on the initial subdivision plat approved by the Planning Commission. The initial lots shall be considered non-conforming lots of record by this Code. The existing dwellings and accessory buildings shall be considered non-conforming uses. Subsequent subdivision phases, plats and uses shall comply with this section.

E. Access Requirements

ZONE	FEDERAL/STATE HIGHWAY OR COUNTY CLASS B ROAD	CLASS D	PRIVATE DRIVE (1)
HMC	P	N	P

P=PREMITTED

(1) Maximum 3 dwellings on private drive.

N= NOT PERMITTED

F. Location Requirements

Buildings shall be set back from the property line per Tables 4.2, 4.3 or 4.4, pages 4-60, 4-61 or 4-62.

MAIN BUILDING ON CORNER LOTS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
HMC	15	15	5	5

MAIN BUILDING ON INTERIOR LOTS

(In feet measured from property line)

ZONE	FRONT	SIDE	REAR
HMC	15	5	5

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

ACCESSORY BUILDINGS

(In feet measured from property line)

ZONE	FRONT	STREET	SIDE	REAR
HMC	3	3	3 (1) (4)	3 (1) (4)

(1) See the Building Code for required setbacks based on type of construction.

(2) 60 feet from center of road, 30 feet from property line.

(3) 40 feet if parking

(4) No drainage from roof will be discharged onto an adjacent lot

G. Architectural Requirements

1. All newly constructed additions, dwellings, factory-built homes, garages, carports, barns, sheds, and other buildings shall be constructed and/or finished in the vernacular architectural style of the camp in which it is located. The Utah Historical Society shall be considered the County's advisor in determining the style. Exact literal compliance is not mandatory regarding use of modern materials. The intent of this requirement is to maintain the visual aspects of each historic coal camp. In case of a conflict between this Code and any proposed construction, the Building Official shall make the final determination consistent with the Building Code and the style of the camp. Appeals to the decision of the Building Official shall be made to the Administrative Hearing Officer as per Section 2 of this Code.
2. All roofs for structures intended for human occupancy shall be designed for the seismic and snow loads expected to be imposed with a minimum pitch of six (6) vertical in twelve (12) horizontal.

3. Each dwelling, accessory building, or other structure shall have exterior materials of sufficient quality, durability and resistance to the elements, and shall consist of wood, brick, concrete, stucco, glass, metal or vinyl lap, tile or stone meeting the requirements of the Building Code.
4. The smallest or least dimension of any dwelling shall be not less than twenty (20) feet, and each dwelling shall contain a minimum of six hundred (600) square feet of living area exclusive of the garage or carport.
5. Each newly constructed dwelling or dwelling which is added on to, or remodeled to a value exceeding \$15,000, shall be provided with a minimum single car carport or garage which meets the requirements of this Code, the Building Code, and the style of the camp, in order to provide off-street parking.

H. Height of Buildings

The maximum height of any building, measured from the highest finished grade to the square of the building, shall be thirty-two (32) feet. Chimneys, flagpoles, television antennas, and similar structures not used for human occupancy are excluded in determining height.

I. Utility Requirements

ZONE	WATER (STATE APPROVED				SEWAGE DISPOSAL	
	CENTRAL	CISTERN	WELL	SPRING	CENTRAL	SEPTIC STATE OR LOCALLY APPROVED
HMC	P	N	Y	Y	P	N

P= PERMITTED

Y= PERMITTED IF STRUCTURE IS IN ACCORDANCE WITH STATE AND LOCAL HEALTH CODES

N= NOT PERMITTED

4.2.22 FPO Flood Plain Overlay Zone

A. Legislative Intent

The FPO Flood Plain Overlay Zone has been established to provide an environment in and around those portions of the County subject to periodic flooding, which will protect life and minimize property losses from such flooding. More specifically, the objectives of the FPO Flood Plain Overlay zone are:

1. To protect human life and health.
2. To minimize public and private property damage.
3. To minimize surface and groundwater pollution which affects human, animal and plant life.
4. To warn individuals against constructing buildings in high flood hazard areas.
5. To control development which will, when acting alone or in combination with similar development, create an additional burden to the public to pay the costs of rescue, relief, emergency preparedness measures, sandbagging, pumping and temporary dikes or levees.

The zone is limited to those areas of the County that have been demonstrated or determined to be subject to periodic inundation from floodwaters.

B. Permitted Uses

1. Permitted uses within the FPO (f) Sub-Zone.
Permitted uses within this sub-zone shall include all uses permitted in the underlying zone, except that no dwelling or other structure used for human occupancy shall be permitted.
2. Permitted uses within the FPO (AO) Sub-Zones.
Permitted uses within these sub-zones shall include all uses permitted within the underlying zone, subject to compliance with all requirements for development in flood plain areas as set forth in this Code or regulations adopted pursuant hereto.

C. Development Standards and Conditions

All construction and development within the FPO Zone shall be carried out in accordance with the following standards and specifications for development in flood plain areas:

1. General Standards

- a. Buildings or structures shall have low flood damage potential.
- b. The buildings or structures shall be constructed and placed on the building site so as to offer the minimum obstruction to the flood or floodwaters.
- c. All buildings and structures shall be constructed with flood resistant materials and be constructed using methods and practices that minimize flood damage.
- d. So far as practicable, buildings or structures shall be placed approximately on the same flood flow lines as those of adjoining structures.
- e. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare shall be accomplished in a manner which will assure that the facilities are situated above the base flood elevation, or are adequately flood-proofed to prevent flotation of storage containers which could result in the escape of toxic or nuisance materials into flood water.
- f. All new structures and all additions to existing structures shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- g. Development permits for the proposed construction or improvements shall be obtained from federal, state or local governmental agencies from which prior approval is required.

2. Specific Requirements in FPO (f) Sub-zone.

All permitted uses shall be subject to the following:

- a. No structure, fill, development or encroachment shall be permitted which would result in an increase in flood levels during a base flood.
 - b. All development that is permitted within the sub-zone shall comply with the specific requirements for development in the FPO (A 1-30 and AO) Sub-zones, (3 and 4 below) or regulations adopted pursuant hereto.
 - c. All bridges or flood control structures shall be first approved by the Planning Commission.
3. **Specific Requirements in FPO (A 1-30) Sub-zone.**
 All new construction and all improvements of any existing dwelling or any commercial, industrial or other non-residential structure that will equal or exceed fifty (50) percent of the value of the existing structure shall either:
- a. Have the lowest floor, including basement, elevated on compacted fill or a continuous concrete foundation to or above the base flood elevation; or
 - b. Have the main floor elevated above the base flood level and have all portions of the structure and attendant sanitary and utility facilities which are located lower than the base floor level flood-proofed. Said flood-proofing measures shall provide that all portions of the structure located below the base flood level shall be made watertight, with walls substantially impermeable to the passage of water without reliance on human intervention, and shall employ structural components with the capability to resist hydrostatic and hydrodynamic loads and effects of buoyancy from the base flood. Said flood-proofing measures shall be in accordance with County standards, where such have been adopted for use in the County, and approved by the Federal Insurance Administrator, or else be certified by a registered engineer or architect as adequate to satisfy the flood-proofing requirements of this section; or
 - c. Have been granted a variance from compliance with the requirement of a or b above by the Administrative Hearing Officer in accordance with the provisions of Section 2.2.6; or
 - d. Have been exempted from the necessity of compliance with the requirement of the FPO Zone as evidenced by a letter or map amendment or conditional commitment letter from the Federal Flood Insurance Administration, or by action of the Administrative Hearing Officer in interpreting the boundaries of the FPO Zone.
4. **Specific Requirement in FPO (AO) Sub-zone.**
 All new construction and all improvements to all existing dwellings or any commercial, industrial and other non-residential structures which will equal or exceed fifty (50) percent of the value of the existing structures shall either:
- a. Have the lowest floor, including basement, elevated on compacted fill or a continuous concrete foundation above the crown of the nearest street to a level equal to or greater than the depth number specified on the Zone Map; or
 - b. Have the main floor elevated one foot above the crown of the nearest street to a level equal to or greater than the depth number specified on the Zone Map and have all portions of the structure and all attendant sanitary and utility facilities which are located below the level flood-proofed. Said flood-proofing measures shall provide that all portions of the structure below the identified level shall be made water-tight with walls substantially impermeable to the passage of water, without reliance on human intervention, and shall employ structural components with the capacity to resist hydrostatic and hydrodynamic loads and effects of buoyancy from a base flood. Said flood-proofing measures shall be in accordance with County standards, where such have been adopted for use in the County, and approved by the Federal Insurance Administrator, or else be certified by a registered engineer or architect as adequate to satisfy the flood-proofing requirements of this section; or
 - c. Have been granted a variance from compliance with the requirements of a or b above by the Administrative Hearing Officer, in accordance with the provisions of Section 2.2.6; or

- d. Have been exempted from the necessity of compliance with the requirements of the FPO Zone as evidenced by a letter or map amendment or conditional commitment letter from the Federal Flood Insurance Administration, or by action of the Administrative Hearing Officer in interpreting the boundaries of the FPO Zone.

D. Administration

1. Development Permit Required

Any person, firm or corporation desiring to construct, add to, or move a dwelling or other structure, or proposing to excavate or place fill or other form of development within the boundaries of the FPO Zone, shall first make application for and obtain a development permit from the Zoning Administrator before starting construction. Said application shall be made on forms furnished by the County.

2. Interpretation of Flood Plain Boundaries.

Precise boundaries of the flood plain shall be determined by scaling distances on the Official Flood Plain Zone Map. Provided, however, that where there is disagreement as to the determination made by the Building Official, or where it is determined that an interpretation is desirable, i.e. an apparent conflict between the map boundary and actual field conditions, the Board of Adjustment shall, upon appeal, make the necessary interpretation in accordance with Section 2.2.6. Any such appeal shall be made in accordance with all applicable procedures and conditions relating to appeals before the Administrative Hearing Officer as set forth in section 2. In making its determination, the Administrative Hearing Officer shall utilize all technical evidence available to it, including the detailed data contained within the Flood Insurance Study.

3. Base Flood Elevations

Where base flood elevations have not been determined, (A un-numbered areas) the administrator is hereby directed to make such determination utilizing existing data from any federal, state or local source.

E. General Requirements

1. Relocation of watercourse

- a. Any proposed alteration or relocation of the Price River channel or any other designated floodway shall be first approved by the Planning Commission. No such alteration or relocation shall have the effect of reducing the water-carrying capacity of the floodway.
- b. Prior to granting approval for alteration or relocation the Planning Commission shall notify all adjacent local governments and the state coordinator and submit copies of the notifications to the Federal Insurance Administrator.

2. Warning and Disclaimer of Liability

The degree of flood protection required by this Code is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions, or flood heights may be increased by manmade or natural causes such as ice jams and bridge openings restricted by debris. This Code does not imply that areas outside the flood plain zones or land uses permitted within such zones will be free from flooding or flood damages. This Code shall not create liability on the part of Carbon County or any officer or employee thereof for any flood damages that result from reliance on this Code, or any administrative decision lawfully made there under.

3. Development Standards

The County may, from time to time, adopt standards and specifications relating to the design and quality of required improvements within flood plain areas and the administrator of flood regulations. All developments shall be carried out in accordance with these adopted standards and specifications.

4.2.23 NMCO Nine Mile Canyon Overlay Zone

A. Legislative Intent

The Nine Mile Canyon Overlay Zone is established to be consistent with federal and state regulations, to create a business friendly environment, and to provide for the review of road construction, road use, drilling operations, production of oil and gas, mining, and utility transmission affecting agricultural, residential and other land uses in Nine Mile Canyon, from rim to rim, an area further defined in the map adopted July 20, 2005 (Ordinance 375). More specifically, the objectives of the Nine Mile Canyon Overlay Zone are:

1. To protect human life, safety, and welfare.
2. To minimize public and private property damage.
3. To minimize the effects of energy development to residential, recreational, forestry and grazing properties.
4. To minimize the effects of energy development to the resources and quality of life in Nine Mile Canyon.
5. To prevent the financial devaluation of private property as a result of any federal or state action, regulation, legislation or policy.
6. To preserve a transportation, energy and resource corridor across the county to serve the public.

B. Permitted Uses

All uses permitted by the underlying zone(s).

C. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon submission of a completed application and satisfaction of the requirements of a conditional use permit set forth in Section 5 of this Code:

1. Construction of roadways, mines, drilling sites, pipelines, gas and electrical transmission lines, compressor stations, regulating equipment and well sites.
2. Operation or production of mines, oil and gas wells, and other energy developments.

D. Development Standards and Conditions

All construction and development for energy production purposes in the Nine Mile Canyon Overlay Zone shall be carried out in accordance with the following standards and specifications:

1. Roadways shall be constructed to applicable standards as determined by the Planning Commission, following a review by the County Planning Staff, to minimize damage to watersheds, vegetation and resources.
2. For use of County Roads, an encroachment permit shall be required. A copy of the conditions recommended by the County Road Supervisor must accompany any application for a Conditional Use Permit.
3. Mines, well sites, compressor stations, and other sites shall be constructed to applicable standards as required by the conditional use permit to minimize damage to surrounding areas.
4. All facilities shall be constructed in a manner so as to properly drain surface water to an approved location.
5. Location of any facilities for liquids, chemicals, explosives, flammable hazardous or toxic materials shall be in compliance with all applicable federal and state laws and building codes.
6. All well site pumps shall be located in a structure approved by the Planning Commission, following a recommendation of County Planning Staff, and fenced with a six (6) foot high locked chain link fence.

7. Well production facilities, such as pumps, separators, and appearances, may be required to be painted to blend with the surroundings.

E. Administration

Any person firm or corporation desiring to develop a mine or drilling site or construct an access to a site for a mine, exploratory or production oil or gas well, shall first make application for and obtain a conditional use permit from the Zoning Administrator after review and approval by the Planning Commission, assuring the following:

1. The location is served by an existing public or private roadway which in the opinion of the Planning Commission, is suitable for such use, and which poses no obvious negative impact to the area.
2. The well site is located more than six hundred sixty (660) feet from an existing dwelling.
3. The applicant has been issued approval or a permit to drill from the Utah Division of Oil, Gas and Mining and /or other required state and federal agencies.
4. A reclamation plan is submitted as per section 4.2.23 (f).

F. Reclamation Plan

A reclamation plan shall be submitted for each proposed mine, well site, pipeline, excavation, roadway and area of disturbance. Roadways may remain in place upon capping the well(s) and/or reclaiming the site, with approval of the Planning Commission. Particular attention will be given to stream crossings.

G. Access Requirements

for Each mine exploratory or production well shall be accessed by a designated county road or a private travel way, which travel way has been approved by the county as to the quality of the construction, and which there is adequate documentation guaranteeing the operator(s) of the well and county staff, emergency providers and law enforcement officers a perpetual right of access or until the site is abandoned and reclaimed.

H. Utility Requirements

All production or exploratory well sites and mines shall be served by sanitary facilities for employees, as approved by the health department.

I. Reclamation and Performance Guarantee

1. All roadway improvements, mines, well sites and other areas of disturbance shall be reclaimed in conformance with plans submitted.
2. A performance guarantee shall be submitted in compliance with section 7 of this code or as set by the Planning Commission.

J. Special Regulations

Nothing in these regulations shall prohibit a landowner from requiring the developer of an energy extraction or transmission project to complete inventories of the site for forage, timber, wildlife, objects of historic or scientific interest, or substantial anticipated detrimental effects to the value(s) of the property, and providing for a plan to mitigate for these affects.

4.2.24 SBO Small Business Overlay Zone

A. Legislative Intent

The Small Business Overlay Zone is established to create a business friendly environment, and to provide a zoning district where small scale family oriented business activities can be established, or incubate to develop into large scale enterprises. This zone is intended to complement and expand section 3.3.16, of this code regulating Home Occupations and Premise Occupations.

The Small Business Overlay Zoning District provides that a residing family may establish a business through the Conditional Use Permit process, and can then hire up to Four (4) employees under conditions that will not substantially alter the residential character of a neighborhood, as determined by the Planning Commission.

The general character of the zoning districts included in the overlay is residential and agricultural on large parcels. It is the intent of this district to maintain the existing character as much as possible while encouraging compatible business uses.

More specifically, the objectives of the Small Business Overlay Zone are:

1. To protect human life, safety, and welfare.
2. To enhance the tax base.
3. To minimize the effects of small scale enterprise to residential and agricultural properties.
4. To prevent the financial devaluation of private property as a result of such enterprises.
5. To establish a zoning district where small family oriented business operations can thrive.

B. Specific Zoning Districts

Because of the fact that many areas of the county contain large parcels within the RR-1 and larger lot size zones, the small business overlay zone shall apply in the following zones:

- Rural Residential 1 acre zone (RR-1)
- Rural Residential 2.5 acre zone (RR-2.5)
- Rural Residential 5 acre zone (RR-5)
- Residential Agricultural 20 acre zone (RA-20)

C. Minimum Size of Each Zoning Lot

The small business overlay zone applies only to those zoning lots which contain a minimum of two (2) acres. Existing lots of record smaller than 2 acres do not comply.

D. Permitted Uses

All uses permitted by the underlying zone(s).

E. Permitted Conditional Uses

The following buildings, structures and uses of land shall be permitted upon submission of a completed application and satisfaction of the requirements of a conditional use permit set forth in Section 5 of this Code:

- Contractors
- Architects
- Engineers
- Handyman services
- Locksmiths
- Real Estate appraisers

Management consultants
Barber and Beauty shops
Cabinet and specialty shops
Cleaning services
Pre-school and daycare
Minor auto repair
Animal care
Tax preparation
Accounting
Individual artist studios
Handcraft studios
Music studios
Tailoring
Repair of furniture and small appliances
Tutoring or classes for no more than two students at one time
Any business determined appropriate in a residential setting by the Planning Commission

F. Non Permitted Uses

Auto body and painting shops
Kennels which would require licensing by the US Department of Agriculture
Sexually oriented businesses

G. Access Requirements

Each small business shall be accessed by a designated state highway, county road, or a private travel way which has been approved by the county road supervisor and County Engineer as to the quality of the construction, and for which there is adequate documentation guaranteeing that county staff, emergency service providers, and law enforcement officers a perpetual right of access or until the land use is abandoned and reclaimed or converted to another uses.

H. Utility Requirements

All small business developments shall be served by sanitary facilities for employees, as approved by the Price River Water Improvement District or Southeast Utah District Health Department.

I. Administration

Any person firm or corporation desiring to develop a small business in the applicable zones, shall first make application for and obtain a conditional use permit application from the Zoning Administrator. The application shall be administered as per Section 5-14 of this code.

J. Development Standards and Conditions

All construction and development for business purposes in the SBO Zone shall be carried out in accordance with the following standards and specifications:

1. The location shall be served by an existing public or private roadway which has been reviewed and approved by the county and has been determined to be suitable for such use, and which poses no obvious negative impact to the area.

2. Private roadways and driveways shall be constructed to applicable standards as set forth in adopted standards of the County, or other approved standards to minimize noise, dust, ingress and egress to the property, and situated so as not to impact pedestrian or vehicle sight distances and safety.

3. For use of County Roads, an encroachment permit may be required as determined by the Road Supervisor. A copy of the conditions recommended by the County Road Supervisor must accompany any application for a Conditional Use Permit.
4. All small business developments shall be served by adequate utilities for the use intended.
5. All small business development shall be located in an accessory building detached from the residence. The building shall not contain more than three thousand (3,000) square feet, unless an existing or proposed larger building is considered and approved by the Planning Commission which meets all adopted building codes. All business shall be conducted inside the accessory building with no outside storage of materials, scrap, garbage, debris or other junk or nuisances.
6. All small business development structures and operations shall be set back not less than seventy five (75) feet from any property lot line.
7. Freestanding non-accessory advertising signs shall not to exceed 4 feet by 3 feet or 12 square feet, and shall be not more than 5 feet in height above grade. Accessory Signs mounted on the building shall not exceed 4 feet by 3 feet, and shall not exceed 12 square feet.
8. For a proposed small business development in any recorded subdivision or development which has current Covenants, Codes, and Restrictions, the written approval of the Homeowners Association shall be submitted with the application.
9. For developments involving the manufacturing, compounding, processing, fabrication of goods and materials, all activities shall be conducted in a manner that will limit fumes, smoke, noise, vibration, light and odor, as approved by the Planning Commission. Any activity that involves the hazardous materials shall be limited to the quantities set forth in the Building Code(s) for that particular use.
10. Off street parking areas which comply with the Americans with Disabilities Act and the International Building Code shall be provided for any employees.

4.2.25 AOZ Airport Overlay Zone

A. Legislative Intent

The purpose of this zone is restricting the height of structures and objects of natural growth and otherwise regulating the use of property, in the vicinity of the Carbon County Regional Airport by creating the appropriate zones and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such zones; defining certain terms used herein, referring to the Carbon County Regional Airport FAR Part 77 Airspace Drawing and Off Airport Land Use Drawing which are incorporated in and made a part of this ordinance providing for enforcement and establishing an Administrative Hearing Officer; and imposing penalties. All land uses surrounding the Carbon County regional Airport shall comply with Ordinance No. 418, Adopted July 16, 2008.

It is also been found that an obstruction has the potential for endangering the lives and property of users of the Carbon County Regional Airport and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums at the Carbon County Regional Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Carbon County Regional Airport and the public investment therein. It is also found that the prevention of the creation of establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation or the marking and lighting of construction are public purposes for which Carbon County may raise and expend public funds and acquire land or interests in land.

B. Height Restrictions

In certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the Carbon County Regional Airport. Such zones are shown on the Carbon County Regional Airport Federal Aviation Regulation (FAR) Part 77 Airspace Drawing on file in the Office of the County Clerk.

Except as otherwise provided in this ordinance, no structure shall be erected, altered or maintained and no tree shall be allowed to grow in any zone created by this ordinance to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Precision Instrument Runway Zone – Area having slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline, then slopes forty (40) feet outward for each foot upward beginning at the end of and at the same elevation as the first 10,000 feet and extending to a horizontal distance of 40,000 feet along the extended runway centerline.

2. Non Precision Instrument Runway Approach Zone (Larger than utility runway) – Having slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

3. Non precision Instrument Runway Approach Zone (utility aircraft) – Having slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

1. Visual Runway Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet

along the extended runway centerline.

2. Transitional Zone - Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway centerline.

3. Horizontal Zone- Established at 150 feet above the airport elevation.

4. Conical Zone - Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

C. Compatible Land Uses

For the purpose of regulating the development of noise sensitive land uses to promote compatibility between the Airport and the surrounding land uses, to protect the Airport from incompatible development and to promote the health, safety and general welfare of property users, the controlled area of the Carbon County Regional Airport is divided into Airport Compatible Land Use Overlay Zoning districts. The Airport Compatible Land Use Overlay Zoning districts established herein shall be known as:

<u>Off Airport Land Use Zone Number</u>	<u>Zoning District Name</u>
1	No Development
2	Limited Development
3	Limited Development Approach Surface
4	Controlled Development
5	Controlled Development Approach Surface

D. Off Airport Land Use

The boundaries of the Airport Compatible Land Use Overlay Zoning Districts set out and delineated upon the Carbon County Regional Airport Off Airport Land Use Drawing of Carbon County, Utah, said Off Airport Land Use Drawing being adopted by reference and made a part of this chapter as fully as if the same were set forth herein in detail.

1. The boundaries shall be scaled from the nearest runway end shown on the map and the boundaries shall be scaled from the nearest physical feature shown on the map.

2. Boundaries may be scaled from the nearest platted lot line as shown on the map.

3. Distances not specifically indicated on the original Off Airport Land Use Drawing shall be determined by a scaled measurement on the map.

4. Where physical features on the ground differ from the information shown on the official Off Airport Land Use Drawing or when there arises a question as to how or where a parcel of property is zoned and such questions cannot be resolved by the application of Section V-3A, the property shall be considered to be classified as the most restrictive Airport Compatible Land Use Overlay Zoning District.

5. Where a parcel of land lies within more than one (1) Airport Compatible Land Use Overlay Zoning District, the zone within which each portion of the property is located shall apply individually to each portion of the development.

E. Use of Land and Buildings

Within the Airport Compatible Land Use Overlay Zoning Districts as defined herein, no land shall hereafter be used and no structure or other object shall hereafter be erected, altered, converted or modified other than for those compatible land uses permitted by underlying comprehensive zoning districts, as specified in the Carbon County Land Use Code. Additional land uses are prohibited in the Airport Compatible Land Use Overlay Zoning Districts, regardless of underlying zoning, as set forth in the Land Use Compatibility Table included on sheet 3a Off Airport Land Use Data Sheet.

1. Where any use of prohibited land and buildings set forth in Section V-4A conflicts with any use of land and buildings set forth in the Carbon County Land Use Code, as an allowed use on the Zoning District Map, this chapter shall apply.

2. Section V-4 does not apply to property within the official boundaries of the airport.

3. Where specified on the Airport Compatible Land Use Table, the property owner shall dedicate, in advance of receiving a building permit, an aviation clear zone easement to Carbon County, Utah. The purpose of this easement shall be to establish a maximum height restriction on the use of property and to hold the public harmless for any damages caused by noise, vibration, fumes, dust, fuel, fuel particles or other effects that may be caused by the operation of aircraft landing at, taking off from or operating on or at, public airport facilities.

F. Additional Land Use Regulations

Within Carbon County, Utah the more restrictive of the Carbon County Land Use Code or Section V-4A, shall apply to the development of all property covered by the Off Airport Land Use Drawing.

2. On property within the Off Airport Land Use Drawing jurisdiction, but outside the jurisdictional limits of Carbon County, Utah, Section V-4A shall apply to formulate land use recommendations or responses to land use comment requests from other jurisdictions.

3. When a provision of this section conflicts with any airport height hazard restrictions, the most restrictive provision shall apply.

4. Notwithstanding any other provisions of this chapter or other chapter of the Carbon County Land Use Code, no use may be made of land, water or structures within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others or result in glare in the eyes of pilots using the airport; impair visibility in the vicinity of the airport; create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off or flight operations of aircraft utilizing the airport.

5. When a subdivision plat is required for any property within an Airport Compatible Land Use Overlay Zoning District or within an area shown on the FAR Part 77 Airspace Drawing for the Carbon County Regional Airport, the property owner shall dedicate an aviation hazard easement to Carbon County over and across that property. This easement shall establish a height restriction on the use of the property and hold the public harmless from any damages caused by noise, vibration, fumes, dust, fuel, fuel particles or other effects that may be caused by the operation of aircraft taking off, landing or operating on or near the Carbon County

Regional Airport

G. Non-Conforming Uses -Regulations Not Retroactive

The regulations prescribed by this ordinance shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this ordinance or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this ordinance and is diligently prosecuted. Nonconforming land uses existing as of the effective date of this ordinance may be modified such that 1) only existing structures may be enlarged or expanded; 2) that they do not result in any greater violation of height restrictions; and 3) a variance in accordance with Section VII-4 is obtained.

F. Nonconforming Uses Abandoned or Destroyed

Whenever Carbon County determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

G. Marking and Lighting and Obstruction Marking and Lighting

Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by Carbon County to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the Carbon County Regional Airport. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as condition may require in accordance with FAA provisions.

F. Permits and Future Uses

Except as specifically provided in A and B hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the regulating use, structure or tree would conform to the regulations herein prescribed. An FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, shall accompany each application. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this ordinance shall be granted unless a variance has been approved in accordance with Section VII, 4.

1. In the area lying within the limits of the approach zone, transition zone, horizontal zone and conical zone, no permit shall be required by this ordinance for any tree or structure less than 200 feet above ground level which is also lower than an imaginary surface extending outward and upward at a slope of 100 feet horizontal for each 1 foot vertical beginning at the closest point of the closest runway. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure or growth of any tree in excess of any of the height limits established by this ordinance.

2. Existing Uses

No permit shall be granted that would allow the establishment or creation of any obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

I. Variances

Any person desiring to erect or increase the height of any structure or permit the growth of any tree or use property, not in accordance with the regulations prescribed in this ordinance, may apply to the Administrative Hearing Officer for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of a proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice and will be in accordance with the spirit of this ordinance.

Additionally, no application for variance to the requirements of this ordinance may be considered by the Administrative Hearing Officer unless a copy of the application has been furnished to Carbon County for advice as to the aeronautical effects of the variance. If Carbon County does not respond to the application within fifteen (15) days after receipt, the Administrative Hearing Officer may act on its own to grant or deny said application.

L. Off Airport Land Use Drawing

1. The boundaries of the Airport Compatible Land Use Overlay Zoning Districts set out herein are delineated upon the Carbon County Regional Airport Off Airport Land Use Drawing of Carbon County, Utah, said Off Airport Land Use Drawing being adopted by reference and made a part of this chapter as fully as if the same were set forth herein in detail.

N. Additional Land Use Regulations

Within Carbon County, Utah the more restrictive of the Carbon County Land Use Code or Section V-4A, shall apply to the development of all property covered by the Off Airport Land Use Drawing. On property within the Off Airport Land Use Drawing jurisdiction, but outside the jurisdictional limits of Carbon County, Utah, Section V-4A shall apply to formulate land use recommendations or responses to land use comment requests from other jurisdictions. Whenever a provision of this section conflicts with any airport height hazard restrictions, the most restrictive provision shall apply.

1. Notwithstanding any other provisions of this chapter or other chapter of the Carbon County Land Use Code, no use may be made of land, water or structures within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish
2. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction or alteration of any structure or growth of any tree in excess of any of the height limits established by this Code.

EXHIBIT "D"

SECTION 9

DEFINITIONS

9.1 INTENT

For the purposes of this Code, certain words and terms are defined as follows:

Words in the present tense include the future and the future includes the present; the singular number includes the plural and the plural the singular; the word lot includes the word tract or parcel of land; the term erected means constructed, altered, moved, or repaired; the words shall and must are always mandatory. The term district is synonymous with the term Zone. The term ordinance is synonymous with the term Code. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

9.2 LIST OF DEFINITIONS

Absorption area- The entire area used for the subsurface treatment and dispersion of effluent by an absorption system.

Absorption system- A covered system constructed to receive and to disperse effluent, from gravity or a pump, in such a manner that the effluent is effectively filtered and retained below the ground surface.

Agricultural products, sale of- A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products, and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and farm machinery repair services that are accessory to the principal use.

Airport, Private- Any airport licensed by the State of Utah as a private airport, used primarily by the airport licensee, but available for use by others upon specific invitation of the licensee.

Airport, Public- Any publicly or privately owned airport licensed by the State of Utah as a public airport, which meets minimum safety and service standards and is open for use to the general flying public.

Animal, domestic- An animal that is tame or domesticated and not normally found in the wild state. Hybrids of animals normally found in the wild state are not included within the meaning of domestic animal.

Animal, exotic- Any member of a species of animal, reptile, or bird, warm or cold-blooded, that is not indigenous to the environs of the parish or is not classified or considered as wildlife, livestock, or domestic animal.

Animal, Large- An animal larger than the largest breed of dogs. This term includes horses, cows, pigs, and other mammals customarily kept in corrals or stables.

Animal, Small- Any animal, other than livestock, which is kept either inside or outside a dwelling unit. Small animals include but are not limited to dogs, cats, rabbits, domestic fowl, and birds.

Animal Unit – One animal unit shall be any of the following:
2 cows, horses, donkeys or similar large animals; or 8 adult sheep; or 16 feeder lambs, or 8 goats, or 2 pigs, 12 chickens, ducks, game birds and fowl; or an equivalent combination of the above, together with the suckling offspring thereof.

Apartment Building- A structure containing four or more apartment units.

Auction facility- A structure or enclosure where goods or livestock are sold by auction.

Automobile Dealership- Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Automotive repair services establishment- Any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire service and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.

Automotive Repair Services, Minor- The replacement of any part or repair of any part which does not require the removal of the engine head or pan, engine, transmission, or differential; incidental body and fender work; and minor painting and upholstering service when said service above stated is applied to passenger automobiles, motorcycles, snowmobiles, small engines, and trucks not exceeding 9,000 pounds rated capacity.

Barber Shop- A fixed establishment or place where one or more persons engage in the practice of barbering.

Barn- A large accessory building used exclusively for the storage of grain, hay, and other farm products, or the sheltering of livestock or farm equipment.

Beauty Salon/Shop- Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

Bed and Breakfast – See Lodging House.

Bowling Alley- Indoor facility for the sport of ten-pin bowling, with customary accessory uses such as snack bars.

Buildable Area – A portion of a site which conforms to all minimum criteria such as slope, building setbacks, distance from watercourses, springs or wastewater systems, required for placement of a structure.

Building – Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

- A. **Building Accessory** – A detached, subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or the main use of

the land, and which is located on the same lot or parcel of land with the main building or use.

- B. Building, Main – One or more of the principal buildings upon a lot. Garages, carports and other buildings which are attached to a dwelling or which are situated within 10 feet of a main building shall be considered as a part of the main building.
- C. Building, Public – A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.

Building material supply store- The retail sale of a diverse range of hardware and related materials generally used in the maintenance, repair, or construction of buildings or other structures, including lawn and garden supplies.

Butcher Shop- A retail store supplying meat and poultry products where meat processing is limited to making cuts of meat from pre processed carcasses.

Campground- An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar movable or temporary sleeping quarters of any kind.

Campsite- Any plot of land within a campground intended for exclusive occupancy by a camping unit or units under the control of a camper.

Car Wash- The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Caretaker camps- Caretaker camps such as sheep camps and recreational vehicles may be placed in the WS, MR, PV, RFM and M&G zones for a period not to exceed six (6) months in any location for the care of domestic livestock such as sheep, cattle, horses and other animals needing seasonal care; or for other agricultural purposes such as silviculture, fencing, dude ranching, and similar activities.

Carport – A structure not completely enclosed by walls for the shelter of automobiles, recreational and personal vehicles.

Church- A building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.

Club, Athletic- An establishment that provides exercise facilities such as running, jogging, aerobics, weight lifting, court sports, and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

Club, Private- Buildings and facilities owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose, but not primarily for profit which inures any individual and not primarily to render.

Commercial accessory structure- A subordinate structure detached from but located on the same lot as a principal building. The use of an accessory structure must be accessory to the use of the principal building.

Condominium- A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of Carbon County Development Code.

Condominium Conversion- The development of land and existing structures as a condominium, regardless of the present or prior use of such land or structure and regardless of whether substantial improvements have been made to such structures.

Condominium Project- A plan or project consisting of not less than two condominium units.

Common Area – An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.

Communication Tower- Any freestanding facility, building, pole, tower, or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage, and other accessory structures used to provide wireless telecommunication services.

Construction Company, Light- A Company that constructs residential and commercial buildings. Such companies typically build single family home, multi-family homes, restaurants, commercial buildings, etc.

Construction Company, Heavy- A Company that is involved with heavy equipment, earth moving, mining, road construction, etc

Coop- A cage or pen for confining fowl.

Corral- A fenced area typically for confining horses or other hoofed animals.

Crop production- Agricultural and horticultural uses, including, but not limited to production of grains, field crops, vegetables, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms.

Curtain drain- Any ground water interceptor or drainage system that is backfilled with gravel or other suitable material and is intended to interrupt or divert the course of shallow ground water or surface water away from the onsite wastewater system.

Customary residential accessory structure- A structure containing no kitchen or bathroom and located upon the same lot or parcel as the principal use or structure to which it is accessory. The structure is customary, incidental, appropriate and subordinate to the use of the principal building, or the principal use of the land. All accessory structures shall be constructed with, or subsequent to the construction of the principal structure or commencement of the principal use.

Disability – A physical or mental impairment that substantially limits one or more of a person’s major life activities, including a person having a record of having such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as described in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.

Drive-in, Food- A building and adjoining parking area used for the purpose of furnishing food, soft drinks, ice cream, and similar confections to the public normally for consumption outside the confines of the principal permitted building, or in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for the patrons.

Dwelling, Accessory- An Accessory Dwelling Unit (ADU) refers to a habitable living unit added to or detached from a primary single family dwelling. It is a separate, additional dwelling unit, including a kitchen, sleeping area and bathroom facilities. An ADU does not constitute a two-family dwelling.

Dwelling, Caretaker- An accessory dwelling on a nonresidential premises, occupied by the person who oversees the nonresidential operation 24 hours a day, and his or her family.

Dwelling, Single Family- A detached dwelling unit with kitchen and sleeping facilities, designed for occupancy by one family.

Dwelling, Multifamily- A building, or portion thereof, designed exclusively for occupancy by three or more families living independently of each other in individual dwelling units.

Effluent Sewer- A solid pipe that carries effluent to the absorption system.

Exploratory Well – A well drilled for the purpose of determining the occurrence and extent of a mineral deposit, together with the appurtenant on-site equipment and facilities necessary for the drilling of said well.

Family – An individual or two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a common household. A family may include non-related persons living with the residing family as per this Code. The term “family” shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.

Factory Built Homes- Any structure, designed for residential use, which is wholly or in substantial part, made, fabricated, formed, or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of Carbon County, factory-built homes include mobile homes, manufactured homes, and modular homes.

Factory-built Housing Park- A contiguous parcel of land which has been developed for the placement of factory built homes and is owned by an individual, firm, trust, partnership, public or private association, or corporation.

Fence, Livestock- A fence constructed to keep domestic livestock out of an area, parcel or lot. Such fence shall be constructed of sufficient height and strength to keep said livestock from trespassing on the area, parcel, or lot being fenced. No low drag or trip style fence that could injure livestock shall be permitted.

Fence, Sight-Obscuring – A fence having a height of at least six (6) feet above grade which permits vision through not more than ten percent (10%) of each square foot more than eight (8) inches above the ground.

Flood – 100 Year – A flood, the magnitude of which will probably occur only once in 100 years.

Flood Channel – A natural or artificial water course with definite bed and banks to confine and conduct flood water.

Floodway- That area of a waterway channel which is extremely hazardous due to the velocity of storm waters which carry debris and projectiles and have erosion potential.

Floodway encroachment- Any fill, structure, building, accessory use, use, or development in the floodway.

Floor Area – The sum of the areas of the several floors of the building, including basements, mezzanines, and penthouses of headroom height (7 feet) measured from the exterior walls or from the center line of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc.

Fowl- Domesticated birds commonly associated with farms and used for eggs or meat. Domestic fowl include but are not limited to chickens, ducks, geese, and turkeys.

Fraternal Lodges- A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

Funeral Home- Establishment engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

Gasoline Stations- Any building, structure, or area of land used for the retail sale of automobile fuels, oils, and accessories, where repair service, if any, is incidental, where no more than two abandoned vehicles or other motor vehicles shall be stored on the premises. May include the sale of propane or kerosene as accessory uses.

Grade of Building (Adjacent Ground Elevation) – The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and a line five (5) feet from the building.

Grade of Streets and Driveways – Grade shall mean the ratio of vertical distance along such a street or driveway expressed in either percentage or degree.

Guest Cabin- A small one story house built and designed for occasional use.

Guest ranch- A use incorporating two or more guest rooms, other than a lodging house, hotel, or motel, and including outdoor recreational facilities, such as but not limited to horseback riding, swimming, tennis courts, shuffleboard courts, barbecue and picnic facilities, and dining facilities intended primarily for use by the guests of the guest ranch.

Guest Ranches- A ranch operated wholly or in part as a resort offering horse riding related activities as outdoor recreation opportunities, and offering only temporary rental accommodations for vacation use by nonresidents.

Health, Board of – The Health Department, Board of County Commissioners, or any representative authorized by the Board of County Commissioners to represent them in matters relating to health and sanitation.

Height of Building – The vertical distance from the grade to the square of the building.

Helicopter pads (Heliport)- An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Home Occupation – Conducted within a dwelling and carried on by persons residing in the dwelling. A use incidental and secondary to a property’s primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all applicable legal requirements.

Hotel- A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming or boarding house.

Household Pets – Animals or fowl customarily permitted within the house and kept for company or pleasure, such as dogs, cats, and canaries, but not including a sufficient number of dogs to constitute a kennel.

Injection and Disposal Wells – Injection and disposal wells shall mean any used well that is used for the disposal of fluids that are brought to the surface in connection with conventional oil or natural gas production and that may be commingled with wastewater produced from the operation of a gas plant that is an integral part of production operations, unless that wastewater is classified as a hazardous waste at the time of injection. It shall also mean any well used for the injection of air, gas, water or other substance into any underground stratum.

Junk Yard – Salvage Yard – A place where scrap, waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, house wrecking yards, used lumber yards, and places or yards for storage of salvaged house wrecking and structural steel materials and equipment.

Kennel – The use of land or buildings in the keeping of three (3) or more dogs at least four (4) months old, in compliance with this Code and the County Animal Control Ordinance.

Large Scale Industrial Project – All land and structures occupied by a manufacturing, processing, fabrication or similar industrial activity which requires a site area of more than five (5) acres and/or which, because of the nature of the activity, emits fumes, smoke, noise, vibration, dust, glare or odor in amount which are discernable beyond the limits of the site.

Landscaping – Landscaping shall mean the use and integration of a combination of planted trees, shrubs, vines, groundcovers, lawns, rocks, foundations, pools, art works, screens, walls, fences, benches, or surfaced walkways set into an aesthetically pleasing arrangement as determined by the Planning Commission or their authorized representatives. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this definition.

Laundromat- A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.

Livestock, Domestic- Generally accepted outdoor farm animals (i.e., cows, goats, horses, pigs, barnyard fowl, etc.) not to include cats, dogs, and other house pets.

Livestock feed yard- The feeding of livestock, poultry, or small animals for commercial purposes usually in lots, pens, ponds, sheds or buildings where food is supplied primarily by means other than grazing, foraging, or other natural means.

Livestock Management Area - All portions of a lot used as sheds, barns, coops, pens, corrals, pastures, gardens or cultivated ground but not including the area of a lot devoted to the dwelling, sidewalks, driveways, or lawn.

Lodging House – any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.

Lot – (1) An independently described parcel of land as shown on the records of the County recorder, or (2) Two (2) or more contiguous parcels within a recorded subdivision each of which qualify under 1 above and for which a Declaration of Zoning Lot has been approved and filed in the Office of the County Recorder.

Lot – Corner – A lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.

Lot – Interior – A lot other than a corner lot.

Lot – Line, Front – The front boundary line of a lot bordering on the street.

Lot – Line, Rear – A lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or goreshaped lot, the rear lot line shall be a line within the lot parallel to and at the maximum distance from the front lot line, having a length of at least ten (10) feet.

Lot – Line, Side – Any lot boundary line not a front lot line or a rear lot line.

Major Underground and Surface Development – Those activities conducted on the surface of the land for the development or extraction of a mineral deposit from its natural occurrences, including but not limited to effects of surface and underground mining, such as on-site transportation, primary processing, and storage, including:

- A. Gravel, sand and clay pits disturbing a surface area in excess of one (1) acre.
- B. Coal mines disturbing a surface area in excess of three (3) acres.
- C. Uranium mines disturbing a surface area in excess of one (1) acre.
- D. Other mining operations disturbing a surface area in excess of one (1) acre or from which five hundred (500) tons or material or more are mined over a period of twelve (12) consecutive months.

Major Utility Transmission and Railroad Project – A construction project involving the installation of one or more of the following:

- A. Electric power transmission lines rated at 45 KV capacity or more; together with the appurtenant substations and similar ancillary facilities.
- B. Gas and oil transmission lines designated at 500 psi or more, together with the appurtenant pressure and pump stations and similar ancillary facilities.
- C. Water transmission facilities designed at 10 second feet capacity or more, together with the appurtenant pump stations and similar ancillary facilities.

- D. Conveyor belts and related facilities.
- E. Railroad tracks.
- F. Solar or Wind Powered Generating Facilities.

Manufactured Home – A transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code).

Manufactured Home Park – An area or tract of land used to accommodate two (2) or more manufactured homes, park models or other factory built housing.

Map – The Zone Map of Carbon County, Utah.

Master Plan – A coordinated plan which has been prepared and adopted for the purpose of guiding development, including but not limited to a plan or plans of land use, access, resources, circulation, housing, and public facilities and grounds.

Material Staging Area- Designated area where materials are temporarily positioned for access during a construction project, and removed once the project is completed.

Meat processing establishment- A building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.

Medical Clinic- A building or portion of a building containing offices and facilities for providing medical, dental, and psychiatric services for outpatients only.

Motion Picture Theater (indoors)- A specialized theater for showing movies or motion pictures.

Motion Picture Theater (outdoors)- An outdoor movie theater where patrons view movies or any other form of entertainment on a screen or stage from their vehicles.

Motel- A building or series of buildings in which lodging is offered for compensation, and which is distinguished from a hotel primarily by reason of providing direct independent access to, and adjoining parking for, each rental unit.

Mountain Recreational developments- Is a development in the Mountain Range Zone (MR) which consists of any of the following: Mountain Recreational vehicle courts, restaurants, gasoline service stations, convenience food stores, bait shops, and similar commercial establishments when included as an integral but incidental part of a mountain recreation vehicle court. Guest cabins, Single family dwellings, and camping and picnic facilities. Recreation vehicle watering and sanitary dump stations.

Minor Mine and Pit – (1) A mine, pit quarry or similar excavation for the extraction of mineral products which is developed and/or operated at levels less than that established for qualifications as a major underground or surface mine development, or (2) the enlargement of an existing mine or pit operation in an amount less than that qualifying as a significant expansion of surface facilities.

Minor Utility Transmission Projects – A project involving the construction of utility transmission and distribution and facilities for cable TV, telephone, microwave and for electric power and gas and oil and water at levels less than those established for major transmission projects.

Modular Unit – A structure built from sections which are manufactured in accordance with the construction standards adopted pursuant to Section 58-56-4, UCA.

Nonconforming – A building or structure, or portion thereof, or use of a building or land existing at the time of the passage of this Code, which does not conform to the zoning regulations as set forth herein, but which legally existed prior to the effective date of the now controlling provision.

Nonconforming Lot of Record - A parcel of land which does not conform to the minimum area and/or width requirements for the zone in which it is located, but which was legally created and was shown on the records of the County Recorder as a conforming lot of record prior to the effective date of the now controlling provisions. Substandard lots in illegal subdivisions shall not be considered as nonconforming lots of record.

Office Building- Establishments providing direct services to consumers, such as insurance agencies, title insurance companies, real estate offices, post offices, but not including bulk mailing distribution centers. Does not include: medical offices or offices that are incidental and accessory to another business or sales activity that is the principal use.

Offstreet Parking – An area adjoining a building providing for the parking of automobiles which does not include a public street, but has convenient access to it.

Parking Lot- An open area, other than a street, used for the parking of vehicles.

Pen- see corral.

Personal Service Establishments- Establishments providing non medically related services, including beauty and barber shops; clothing rental; dry cleaning pick-up stores; laundromats (self-service laundries); psychic readers; shoe repair shops; tanning salons. These uses may also include accessory retail sales of products related to the services provided.

Planned Mountain Home Development – A subdivision in which the roads, travel easements, water lines, and open spaces are not dedicated to the public, but are retained as private facilities.

Planning Director- The chief administrator of Carbon County's planning department.

Planning Commission- A group of people appointed by the Carbon County Board of Commissioners that administers planning and land-use regulations for the County and provides recommendations on a wide array of land-use and land-use policy issues.

Planned Unit Development- A description of a proposed unified development, consisting at a minimum of a map and adopted ordinance setting forth the regulations governing, and the location and phasing of all proposed uses and improvements to be included in the development.

Playground- A land use designed principally to offer recreation, passive or active, to the public.

Premise Occupation – An occupation consisting of the fabrication of a product or providing of a service, which is conducted on a residential lot, in a building other than the residence, except for services such as beauty shops and child care, which may be conducted in the home.

Private Camp – the use of private property by the owners of the property, their immediate family, and invited guests, for the purpose of recreation, pleasure, hunting, agricultural and silvicultural activities, either in tents, travel trailers, recreational vehicles or on the ground, for a period of not more than fourteen (14) consecutive days at one location. Owners of travel trailers or RVs used for this purpose shall dispose of sewage at an approved location.

Production Well – A well drilled for the purpose of recovering a mineral deposit from its natural occurrences together with appurtenant on-site equipment and facilities necessary for the drilling and operation of said well.

Promotional Display- A display of products or goods for a holiday or celebration, e.g. Fourth of July, community days, etc.

Public Agency Park – A tract of land which is owned by a governmental agency and which has been partially or totally developed or designated for recreation or open space purposes.

Public Improvements- Public improvement means the construction, enlargement, extension or other construction of a facility intended for dedication to the County, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance other than driveway apron connection; domestic water supply system main, fire hydrant, valve or other appurtenance other than a supply line to a building; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance other than a drain line from a building.

Recreation Center- Recreation facilities operated as a business and open to the general public for a fee.

Recreation Vehicle- A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Recreation Vehicle Court – An area or tract of land used to accommodate two or more recreation vehicles or camper units.

Residential Facility for Persons with a Disability – A residence in which more than one person with a disability resides, and is licensed or certified by the Department of Human Services under Title 62A, Chapter 2, Licensure of Programs and Facilities, or is licensed or certified by the Department of health under Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act.

Residential Treatment Facilities- A mental health facility or a drug and/or alcohol or process addiction treatment program that is provided to patients in a residential setting

Restaurant- A structure in which the principal use is the preparation and sale of food and beverages.

Retail- The selling of goods, wares, or merchandise directly to the ultimate consumer or persons without a resale license.

Road, County - A County road as shown on the County Road System Map of Carbon County, Utah. Any of the various class of road recognized by the State of Utah, such as Class B and D, or a designated Federal or State Highway. The terms right-of-way, road, trail, street and highway shall be interchangeable.

School- Any public, parochial, private, charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees.

Septic System- The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the Southeastern Utah health department generally within the confines of the lot on which the use is located.

Setback – The shortest distance between the property line and the exterior wall of the building.

Sewer, Central- A sanitary sewage collection system in which sewage is carried from individual lots by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood.

Sewage treatment, Public- Any facility designed for the treatment of sewage that serves in excess of two structures or dwelling units.

Sexually Oriented Business/Adult Retail Establishment- Any retail establishment which, for money or any other form of consideration either: (A) has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer, or provide for viewing, off the premises, any adult oriented merchandise; or (B) provides, as its substantial stock-in-trade, for the sale, exchange, rental, loan, trade, transfer, for viewing or use, off the premises, any adult-oriented merchandise.

Shooting Range- An area or structure specially designed for the safe discharge and use of rifles, Shotguns, pistols, silhouettes, skeet, trap, black powder, or any similar firearm for the purpose of sport shooting or military/law enforcement training.

Shopping Center- A group of retail and other commercial establishments that is planned, owned, and managed as a single property. On-site parking is provided.

Short-Term Rental- Lease of any residential building or dwelling to any person or entity other than the record owner of title for use, occupancy, lodging, or dwelling, for a term of less than 29 consecutive calendar days of occupancy, for which remuneration is paid either directly or indirectly. Occupancy of the property shall be deemed to include use of the property as a single-family or multi-family dwelling, motel, hotel, bed and breakfast, hostel, resort or other transient lodging uses.

Sign – Any device designed and intended to bring the subject thereof to the attention of the public, provided however, that the following shall not be included in the application of regulations relating to signs:

1. Flags or insignia of any government except when displayed in connection with a commercial promotion.

2. Legal notices, and signs used for regulation, identification and informational purposes erected by a governmental body.
3. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.

Sign, Accessory – A sign which directs attention to a business or professions conducted on the premises.

Sign, Non-Accessory – Bill Board – A sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered at a location other than the premises.

Silo- Structures, other than residences and structures appurtenant thereto, for on farm use.

Slaughterhouse- A building or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.

Stable- An accessory building having stalls or compartments where animals, excluding dogs and cats, are sheltered and fed.

Storage, Aircraft (aircraft hanger private)- A hanger for the storage of four or fewer single-motor aircraft and in which no volatile or flammable oil is handled, stored, or kept other than that contained in the fuel storage tank of the aircraft.

Storage, Aircraft (aircraft hanger public)- A building for the storage, care, or repair of private or commercial aircraft not included in the term “private airplane hangar”.

Storage Garage- An accessory building designed or used for the storage of motor vehicles, recreational vehicles, or boats.

Structure – Anything constructed or erected to the requirements of the Building Codes to house electrical, gas and oil production or transmission facilities, or to house agricultural products, animals and activities. Structures also include anything constructed or erected to house or protect recreational or other legal activities.

Subdivision – Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

Subdivision does not include:

- A. A bona fide division or partition of agricultural land for agricultural purposes;
- B. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 1. No new lot is created,
 2. The adjustment does not result in a violation of applicable zoning ordinances;

- C. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property;
- D. A bona fide division or partition of land in the County for the purpose of siting on one or more of the resulting separate parcels, an unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
- E. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision.

Subdivision plat- The schematic representation of land divided or to be divided.

Substance abuse treatment facility - A facility for the purposes of temporary or long-term inpatient treatment of victims of alcohol or drug use or addiction.

Terminal, Airport- A facility designed or intended to be used for the receiving or discharging of passengers and providing for the temporary or permanent storage of the conveyance vehicle.

Tobacco Specialty Store- A tobacco retailer whose business exclusively or primarily involves the sale of tobacco products and related goods

Truck Terminals- A facility for the receipt, transfer, short term storage, and dispatching of trucks, and of goods transported by trucks.

Twin Home – A two family dwelling in which the units are connected at a common wall along a common property line and in which each of the units and their attendant lot area intended for conveyance as separate dwelling units.

Twin Home Project – (1) An undeveloped lot upon which a Twin Home is proposed to be constructed or (2) An existing two-family dwelling which is being proposed for conversion to Twin Home status.

Warehouse- A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards.

Water Distribution System- The system of pipes, structures, and facilities through which a water supply is obtained, treated, and sold or distributed for human consumption or household use.

Water Treatment, Public- Any facility or facilities used or available for use in the collection, treatment, testing storage, pumping, or distribution of water for a public water system.

Yard – Any space on a lot other than a court, which is open and unobstructed from the ground to the sky.

Yard, Front – A yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the main building and the front of the lot.

Zoning Administrator- An appointed official whose primary responsibility is to administer and enforce the zoning code.

Zoning Lot – A parcel of land which complies with the existing area, width, access and other applicable requirements for conforming lots within the zone in which it is located, or is shown as a separate lot in a subdivision or large scale development which has been approved in accordance with this Code.

EXHIBIT “E”

SECTION 10

ADMINISTRATION AND ENFORCEMENT, VIOLATION, PENALTY

10.1 ADMINISTRATION AND ENFORCEMENT

10.1.1 Enforcement Officer

The Zoning Administrator shall be charged with the administration and enforcement of this Code.

10.1.2 Zoning Clearance Required

No building permit shall be issued for construction within the County until the application therefore has been approved by the Zoning Administrator. The Zoning Administrator shall not give such approval until he is satisfied that the proposed construction and subsequent use of the building proposed to be constructed will comply with the requirements of the zone in which the building will be situated.

10.1.3 Buildings to be on Zoning Lot

No building permit authorizing the use of land or the construction or alteration or moving a building or structure on a lot shall be issued unless the parcel of land upon which the use is to be conducted or the building constructed, altered, or moved shall qualify as a zoning lot as defined in this code.

10.1.4 Building Permit to Comply with Code

From the effective date of this Code, no permit shall be granted for the construction or alteration of any building or structure or for the moving of a building or structure on to a lot or for the change of use of any land, building or structure if such construction, alteration, moving or change of use would be a violation of any of the provisions of this Code, nor shall any sewer or water service line or electric utilities be installed to serve the premises if such use would be a violation of this Code.

10.1.5 Construction and Use to Comply with Permit

Permits issued on the basis of plans and specifications approved by the Zoning Administrator authorize only the use, arrangement, and construction set forth in such approved application. Any use, arrangement, or construction at variance with that authorized shall be deemed to be a violation of this Code.

10.1.6 Permits Granted Prior to This Code

Authorization granted by the County to construct a building or structure, or to change the use of land, shall not be denied or abridged in the event that construction has taken place thereon to the extent of one thousand dollars (\$1,000) or more in replaceable value by the date on which this Code or an amendment thereto shall become effective. Provided, however, that such authorization to construct a building or structure shall be denied if construction would not have complied with all applicable laws and ordinances existing prior to the effective date of this Code or amendment. Replaceable value shall be construed to mean the expenditure necessary to duplicate the material and labor at market prices.

10.1.7 License to Comply with Code

No business license or similar permit shall be approved or issued which would not be in conformance with the provisions of this Code. Any permit so approved and issued shall be null and void, and may be revoked by the County Commission.

10.1.8 Responsibility for Violation

It shall be the responsibility of the owner and any and all builders, contractors, sub-contractors, real estate agents and any other persons having to do with the establishment of any use of land or the erection, altering or relocation of any building to make sure that a proper permit has been obtained before work is begun. Any person doing any work on a project for which a proper permit has not been obtained shall be deemed guilty of a violation of this Code.

10.1.9 Utility Installation Unlawful without Building Permit

It shall be unlawful for any person, firm, or corporation to install or allow to be installed, any sewer or culinary water service lines, or any gas, telephone or electric utility connection to serve the premise before a building permit has been properly approved and issued by the Zoning Administrator, and any person who shall install or authorize the installation or any such line or connection shall be in violation of this Code. Each day such violation is continued shall be considered as a separate offense.

10.1.10 Injured Person May Recover Damages – County Not Liable

Any person purchasing a parcel of land who may be injured as the consequence of a denial of a building permit, which purchase was made pursuant to inaccurate, incorrect, untrue or fraudulent information on the part of the seller or his agent, may recover damages from the seller or his agent by civil action. However, the County shall not be civilly liable for any damages that may occur as a consequence of the denial of a building permit based upon such information.

10.1.11 Certificate of Zoning Compliance

The Zoning Administrator shall issue a certificate of Zoning Compliance to any property owner or developer on request. No nonconforming structure or use shall be changed or extended until a Certificate of Zoning Compliance shall state specifically wherein the nonconforming use differs with the requirements of this Code.

The Zoning Administrator may permit the occupancy of a building prior to the completion of all required work, and may require a bond or other assurance to be posted with the County in an amount equal to the cost of completing said required work, guaranteeing the completion of such work.

The Zoning Administrator shall maintain a record of all Certificates of Zoning Compliance for a period of five (5) years and a copy shall be furnished upon request to any applicant.

10.2 VIOLATION AND PENALTY

10.2.1 Procedure for Violation

Whenever it becomes necessary to take action in order to obtain compliance with one or more provisions of this Code, the Zoning Administrator may issue a citation and/or take other appropriate action as provided under the law. In addition, where any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or where any building, structure or land is used or where a parcel of land is subdivided in

violation of this Code the County may, in addition to other remedies provided by law, institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation, to prevent the occupancy of such building, structure, or land, to enjoin the transfer or sale of a lot in an illegal subdivision, or to prevent any illegal act, conduct or business or use.

10.2.2 Each Day a Separate Violation

Each person, firm, or corporation found guilty of violation shall be deemed guilty of a separate offense for each day during which such violation of any provision of this Code is committed, continued or permitted by such person, firm, or corporation and shall be punished as provided by law as a separate offense.

10.2.3 Penalty

Any firm, corporation, person or persons violating any of the provisions of this Code shall be guilty of a Class B Misdemeanor.